

Legislative Assembly,

Thursday, 23rd October, 1913.

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

PETITION—UNIVERSITY SITE.

Mr. DWYER (Perth) presented a petition signed by Bishop Riley, warden of the Convocation of the University of Western Australia, in behalf of Convocation, praying that an area of King's Park be set aside as a university site.

Petition received and read.

Mr. DWYER moved—

That the petition be printed.

It was desirable to have the petition printed for circulation amongst hon. members because it was his intention to move at a later stage, "That this House is of opinion that the most suitable site for the principal permanent building of the University of Western Australia is at or near the corner of Thomas-street and King's Park-road, being portion of King's Park, and recommends that necessary legislation to that effect be introduced."

Question passed.

QUESTION—MEAT SUPPLY, PURCHASE OF CATTLE.

Mr. MALE (for Mr. George) asked the Minister for Agriculture: In reference to the replies to questions on Thursday last,—1, Was the price of £3 15s. per head for bullocks delivered at the port of shipment? If not, to what place does it apply? 2, What was the cost of bringing same down to Fremantle per boat:—(a) Freight per head; (b) Feed and attention on board ship; (c) Cost of landing in sale yards at Fremantle? 3, How many

bullocks were put on board at port of shipment? 4, How many bullocks were landed at Fremantle? 5, If any died at sea, was the cost of same distributed in above prices? 6, How many bullocks were sold on arrival? 7, How many bullocks were sent to Yandanooka? 8, How many deaths of the bullocks comprised in this shipment have occurred—(a) In transit to Yandanooka by rail; (b) On the Yandanooka estate up to date?

The MINISTER FOR LANDS replied: 1, Port of shipment. 2, (a) £3 6s. per head (includes all costs of fodder, wharfage dues, and attention on board). (b) Included in (a). (c) 1½d. per head. 3, 334. 4, 331. 5, None. (Three used on board for provisions.) 6, 287. (Two condemned.) 7, 42. 8, (a) None. (b) None.

ELECTORAL—GERALDTON SEAT.

On motion by the MINISTER FOR LANDS (Hon. T. H. Bath) resolved: "That owing to the death of the late Bronterre Washington Dooley, member for Geraldton, the Geraldton seat be declared vacant."

BILL—CITY OF PERTH IMPROVEMENT.

Second Reading.

Hon. W. C. ANGWIN (Honorary Minister) in moving the second reading said: This is a matter which, in my opinion, concerns the local authority more than it actually concerns Parliament. Unfortunately, the Municipalities Act does not give sufficient powers to the local authorities if they enter into any improvement scheme for the benefit of the persons resident in their particular districts. For some considerable time it has been thought advisable by the city council that additional thoroughfares should be opened up for the purpose of giving better means of communication with the various portions of the city. To enable this to be done, the city council caused to be prepared certain plans for the purpose of submitting the wishes of the council to the ratepayers, and in the *Government Gazette*,

dated the 18th April last, the city council advertised that a proposed loan be raised to the amount of £108,377. A portion of this loan was to be used for the purpose of purchasing land to enable the council to open up numerous thoroughfares which would give direct communication to various parts of the city. At that time those plans were laid on the table in the city council's office, for the express purpose of every ratepayer having an opportunity to peruse the same, showing the areas of land required to carry out the work, and to give the opportunity to the ratepayers of Perth to reject the proposal if they thought it desirable to do so, or to approve of the proposal if they thought it was necessary. The amount set down in the proposed loan was for the purchase of land for the extension of William-street northward to Clifton-street at a cost of £13,000, of Stirling-street northward to Lincoln-street at a cost of £8,000, for the purchase of land from Pier-street northward to Brewer-street at a cost of £8,000, and for the purchase of land for the extension of Aberdeen-street eastward to Pier-street at a cost of £7,200. These amounts have been raised for that purpose and the plan that was placed on the Table in this House yesterday showed what is required. These amounts have been approved by the ratepayers, and the money has been raised.

Hon. Frank Wilson: Have they approved of the purchase of these properties; have they had a referendum?

Hon. W. C. ANGWIN (Honorary Minister): I was just saying that on April 18th notice was given by the city council in the usual manner in the Press and also in the *Government Gazette*, as provided in the Municipalities Act, that they intended raising a loan to the extent of £108,377 for the extension of various streets, in regard to some of which it was not necessary to introduce a Bill. In the amount stated was that which was required to purchase portions of this area of land, and the amount required for carrying out the work was placed before the ratepayers. The plans were on exhibition at the city council's office for the purpose of giving information to the rate-

payers. This proposal was advertised and the ratepayers of Perth had an opportunity, if they so desired, of objecting to the council entering into the purchase of the lands set out on the plans hon. members have before them. On the 19th May the council passed the following special order, moved by Councillor Simpson and seconded by Councillor Laker—

That whereas no demand has been made that the question whether or not the proposed loan of £108,377 be incurred be submitted to the election of the owners, the council do hereby make a special order for borrowing the said sum of £108,377 for the purposes mentioned in the notice published in the *Government Gazette* on the 18th April, 1913.

Hon. members are aware that under the Municipalities Act a certain time must elapse before the council can pass a special order for the purpose of raising money as proposed and advertised previously to the raising of that money. No objection was taken; in fact, so far as I can gather, the persons who know this locality well and have found it necessary to have communication as near as possible with the city are in accord with the action of the city council in purchasing this land for the purpose of opening up and making a direct thoroughfare. This was the special order which was passed, and in accordance with that special order the council have entered into negotiations. Some of the land has been purchased for the purpose required, and consequently the Bill has now come forward for the purpose of ratifying their decision. I would like to point out here that the Municipalities Act only gives power to resume lands actually required for the proposed works.

Hon. J. Mitchell: Quite right, too.

Hon. W. C. ANGWIN (Honorary Minister): The hon. member is of opinion that it is quite right. I am inclined to differ from him there. In making these streets in the interests of the owners of the property adjoining these streets it is necessary for the council to obtain a larger portion of land than what they actually require for street

purposes. While the council can to-day purchase land and use it for certain objects, they cannot dispose of it in any way after it has been purchased, and the council want the power to purchase the area outside that actually required for road making and to deal with that land once it is purchased, either by sale or otherwise as the council think best. The first street mentioned in the schedule that was advertised is for the extension of William-street northwards to Clifton-street.

Mr. Lander: It ought to have been done years ago.

Hon. W. C. ANGWIN (Honorary Minister): William-street is one of the principal thoroughfares in the city of Perth. By extending this street northwards—it does not take a direct line as it has to cross over several blocks as hon. members will see on the plans, to come in conjunction with Bulwer-street in the extension to Clifton-street—it will make almost direct communication to Hyde Park, and will make an outlet to Amy-street, Ruth-street, Edith-street, and Primrose-street, which have at the present no direct communication from one street to another, but which run into dead ends. Hon. members will realise the great advantage this will be to residents of that area, when it is recognised that by the continuation of these blind streets in the manner proposed an outlet will be given, not only for these residents, but for the northern part of the city, a direct communication almost down William-street to the river.

Hon. J. Mitchell: Is there much business there, or traffic?

Mr. Lander: Yes, the North Perth council's.

Hon. W. C. ANGWIN (Honorary Minister): The next proposed extension is Stirling-street to Lincoln-street. Stirling-street is also one of the principal thoroughfares in the city, but it runs into Padbury-street, which is a street running, not entirely across, but on the angle, and from Padbury-street to Bulwer-street is a very narrow thoroughfare—I should say it is somewhat less than half a chain—and between Bulwer and Lincoln-streets there is no continual and

direct thoroughfare. It would be necessary for any person who desires to get over to Lincoln-street to go east for a considerable distance, then cross and go west to get into a direct line with Stirling-street. Half-way between Lincoln-street and Bulwer-street there is a very narrow thoroughfare named Cecil-street, running south towards Bulwer-street. This it is proposed to take in to form part of a wide street. The intention is to continue Stirling-street full width from Bulwer-street to Lincoln-street, and use as part of the street that narrow thoroughfare known as Cecil-street, which runs only half a chain wide halfway between two streets. The proposal of the council in making Stirling-street full width to Lincoln-street will make one of the main thoroughfares of the city from North Perth. There is no doubt, seeing the large settlement which has taken place in the northern portion of the city of Perth, that there should be wider streets for communication than exist at the present time. The next item on the schedule is Pier-street to Brewer-street. Pier-street is one of the principal direct thoroughfares to the northern portions of the city further west than Stirling-street. But Pier-street runs into a dead-end at Newcastle-street. Once it gets to Newcastle-street Pier-street ceases, and it is the desire of the council that they should continue Pier-street through to cross Parry-street, Edward-street, and Brewer-street.

Hon. Frank Wilson: Why not carry it straight?

Hon. W. C. ANGWIN (Honorary Minister): It is put across a little to get it to junction with some other streets instead of buying larger areas. By continuing Pier-street as explained it will junction at the north-west corner of Loton's paddock, which is, I believe, a recreation ground very popular among the sporting fraternity. The hon. member for Perth (Mr. Dwyer) informs me that it is called the Perth oval. The continuation of Pier-street will afford almost direct communication from the river right to Loton's paddock. On the west side of Loton's paddock will be found a street called Good-street, which will

provide direct communication from North Perth, Walcott-street, to the river. I believe it goes through Smith-street as well to get that distance. The leader of the Opposition asked why this street is not made straight. I would like to point out that if these roads are made direct it would be almost impossible to bring them to where they would junction with other streets continued in the same direction. Aberdeen-street to Pier-street is another proposal. This will give direct communication between the east and west boundaries of the City. A street named Short-street runs westward from Lord-street to Pier-street. The proposal is to continue Aberdeen-street to Short-street. There is no thoroughfare at the present time running from east to west between James-street and New-castle street, so hon. members will realise the advantage it will be to this portion of the city to continue Aberdeen-street direct through to junction with Short-street and Pier-street to have direct communication between east and west of the City. As I stated just now, these are the suggestions made by the city council; these are the suggestions approved of by the ratepayers of the city of Perth, and I consider that the ratepayers of the city of Perth are the best judges as to what is best in their interests, and what is best for the improvement of the city of Perth. There is no doubt the time is not far distant when it will be necessary to give corporations like the city of Perth and other towns throughout the State greater powers than they have at present as to improvements. They are restricted, and almost on every occasion, before they can move at all with a view of improving the various towns of the State, they have to approach Parliament. Hon. members will realise this system is a very dangerous one as far as the public are concerned, because it generally gets out that municipalities intend to carry out certain improvements, and an opportunity is given to trade in various lands which it is proposed to purchase for improvement, and higher prices eventuate

through that action. Members will realise by looking at the plans that some of the land is already owned by the city council. This land has been purchased privately at a less cost than what the council could have purchased it at if they had put into force the Public Works Act of 1902. If they had put that Act into force and paid 10 per cent. on the amount fixed in accordance with the Act they would have had to pay several hundred pounds more than they got the land for by private arrangement. This land was offered at such a reasonable rate that they considered it was advisable to purchase it, and their decision has been backed up by the ratepayers. The council took the opportunity of purchasing the land and now they ask Parliament to ratify their action, to enable them to deal with the land in the best interests of the citizens of Perth. I do not know that I need say more in regard to the Bill; everything is plain and clear. The plan which is before members shows clearly the action the city council of Perth have taken. They have consulted the ratepayers, who have approved of their action, and they have raised the money, and now they ask Parliament to ratify the arrangements which they have made, I think in the interests of the citizens and those who visit Perth, because the people will have better means of communication, more thoroughfares and more direct ones than they have at the present time by which they can view the City, than they did previously. I am glad the city council have been able to provide these improvements. It shows they are alive to the best interests of the City and with every confidence I believe members will agree to the proposal which has been placed before them, and for that reason I move—

That the Bill be now read a second time.

Hon. FRANK WILSON (Sussex): As a rule I should take exception to carrying on a debate on a measure of this description without having had sufficient time to inquire fully into the details of the proposed purchase. However, the

Minister has said that a good portion of the land has already been purchased and the balance is required for the purpose of giving further street accommodation. I have glanced through the plan which the Honorary Minister has been good enough to send across to this side of the Chamber, and, whilst it is difficult to realise why the council want all the land that is coloured red hereon, or to understand why they should not run straight lines for their streets instead of having sketched lines like the hind leg of a dog, and why not leave the streets open instead of running them into a fence, I do not propose to raise any serious objection to the second reading of the Bill. I realise the council ought to know what they require, and they ought to, and will no doubt exercise a sufficiently strict supervision over their engineers to see that the best results are obtained from the resumptions made. But it does seem funny that they should resume four blocks, I believe, between Parry-street and Edward-street for the purposes of a road, when two blocks taken direct would answer the purpose. I should like, in accordance with a previously expressed opinion, when the Fremantle Improvement Bill was before the House, to see more active steps taken in street improvement and in increasing the width of streets, and generally for the betterment of the City. I should like to see the council turning their attention to the central portion of the City. Hay-street is to my mind a problem that will require solving in the near future, and the sooner the council start on it the sooner they will arrive at a correct solution. That is my opinion and the sooner the council turn their attention to the centre of the City, rather than concentrate all their attention to outside portions, and see what can be done to give a wider street as the main thoroughfare, Hay-street itself, the better it will be for all concerned, and the cheaper certainly any proposal of that description will be. I want to see the city of Perth spread towards Claremont right the way to Fremantle, and I believe it would some day if it was not for the blunder of putting

Karrakatta cemetery on the wrong side of the railway, a thing which I opposed at the time. After the Honorary Minister's explanation I see no serious objection to passing the Bill. The council have advertised their intention of purchasing the land and, not having received any opposition within the statutory time, the motion authorising the raising of the money for the purpose is valid. The ratepayers have taken no action and the council have now asked that the Bill be put through to get the necessary power to sell what land they may have above what they require for making the street. I do not see any objection to the Bill passing. In the second clause of the measure I notice a provision that the council must always, before disposing of any land, seek the sanction of the Governor-in-Council.

Mr. Lander: That is a good provision.

Hon. FRANK WILSON: Why is it a good provision? If the ratepayers, who are responsible, sanction the raising of the money, and the purchase of the land, why should not their representatives dispose of it? I can understand the Governor-in-Council wanting to be consulted before doing away with Crown lands.

Hon. W. C. Angwin (Honorary Minister): This provision is in the Statute now.

Hon. FRANK WILSON: That is the reason it is in the Bill. I understand that, but I do not see why the Government of the day should interfere when the council want to dispose of something which they have acquired at the cost of the ratepayers and with their sanction.

Mr. Lander: It is very necessary.

Hon. FRANK WILSON: I think if the hon. member will be a little more charitable to his former fellow councillors, and give them credit for having some honesty of purpose, which he claims for himself, it would be better, instead of trying to asperse others.

Mr. Lander: What about the blue metal experience?

Hon. FRANK WILSON: The least we can do, until we know to the contrary, is to endeavour to be charitable and re-

cognise that others are honest and worthy men doing their best in the interests of the City they represent. The constant aspersions on the reputations of people by interjection, which may not be meant perhaps, is not desirable. I do not propose to take any exception to the second reading of the measure.

Mr. DWYER (Perth) : I am delighted to be in common with the leader of the Opposition, who sees his way to endorse the measure, and I hope it will have a speedy passage through the House. In view of the fact that the ratepayers of Perth have endorsed the proposition, that the city council have endorsed the proposition, and that the Government of the day have endorsed it, and brought in a Bill to sanction it, I think it is now for Parliament to sanction what each of these have approved. Looking at the plans which the Honorary Minister has placed before the Chamber, there is one thing that is present on one's mind, and it is the great loss that has been to Perth, and perhaps to other towns in Western Australia, as elsewhere, that there was not in the beginning some proper system of town planning adopted. The city of Perth itself was laid out fairly well in the first instance, I understand, but if we look at the plan of the City as it appears we find that encroachments on the streets as originally laid out have been made, new blocks have been added and these blocks have been subdivided, without any attention as regards existing streets and existing by-ways and the main arteries of traffic; and the result has been that round the heart of Perth, as originally conceived, we have practically plumped down, without any orderly arrangement and any attempt at planning of any kind whatever, and without the conception of what may be main arteries and main roads to the country, a series of squares and subdivisions, one after another, until in the end, at the present time, confusion has been worse confounded. If anything would prove that, it is the plans which have been submitted. We find these streets, important avenues of traffic, simply nothing but *cul de sacs*; they have really but

one opening, and they end perhaps, in somebody's backyard or at somebody's entrance gate. It is to help in some small way to improve the present state of things that the council has moved, and the Government have brought in this measure. This will, at any rate, remove the reproach so far as the central portion of the City is concerned, that we have simply blind streets leading nowhere, and nothing more. Before I leave this subject I think I will be right in expressing the view that it is desirable that the Government should introduce, without any delay whatever, some Bill which will give to the city council or to other local government bodies, the power to lay out the streets of a city or a town, as the case may be, in some orderly arrangement, to make provision for proper recreation reserves and to give them absolute power—and even to restrict them, so far as that goes—to prevent the establishment of slums by small and inconsequential sub-divisions of land. Pocket handkerchief blocks, dead-ending of streets, the absence of proper recreation reserves—these constitute one of the blots on the city of Perth at the present time.

[*The Deputy Speaker took the Chair.*]

Mr. DWYER : We have all the natural features of what might be one of the most beautiful cities in Australia, a city which would compare favourably, I think, if properly laid out, with any city in any portion of the world. But no attempt has been made, and simply because no power has been given to local government bodies to provide facilities for the laying out of recreation reserves. What has been the cause? The owners of the blocks adjoining original city reservations have cut them up at their own sweet will and pleasure. They have subdivided them, and subdivided, and subdivided again, and so as the result we find that although we have still got so much vacant land around the City, we have also, in a few instances, embryonic slums within the City boundaries. I think the power

should be given to purchase these and demolish them, and to turn the land to some more useful purpose. I think that the Bill before the House will meet with the general approval of all members. When we view the fact that in Perth the extensions of William-street and Stirling street have been agitated for for a considerable number of years I may say that a fair beginning has been made to place Perth, so far as town planning is concerned, on a better system than has hitherto obtained. Some objection has been taken to the fact that the city council, in the event of selling the lands, cannot dispose of the funds as they would wish. But it was considered advisable when passing the Municipalities Act that this restriction should be placed upon them. The reasons were probably then as they are now. Moreover, it is after all an additional safeguard to the interests of the ratepayers and the inhabitants of Perth. While the city council represents in the first case simply the ratepayers of Perth the Government represent in a larger measure all the inhabitants of Perth and of the whole State. If the city council, under the sanction of the Governor-in-Council, sell portions of these lands the moneys realised are to be devoted to the reimbursement of the fund from which the purchase was made. That is to say if for this purpose we have raised £36,000, as appears from the schedule in the *Government Gazette* of 18th April, 1913, and if they find that portion of the land which has been taken may be sold advantageously, then if the Governor-in-Council consents they may sell back some portion of the land which they have obtained and reimburse the fund to that extent. So that, if they hold the land for, say, the next 15 years, by the progress and increase of Perth and the increase in importance of these streets which they are about to create, the probability is that they will be able to refund to the original loan nearly as much as they have borrowed from it to effect this purchase. I understand that no objection whatever has been taken, even by the owners of the land, to these extensions.

Mr. Lander: They are in favour of it.

Mr. DWYER: Since all parties agree in the measure and even the leader of the Opposition has given it his benediction, I hope the House will allow it a speedy passage and so enable the city council to effect a much needed improvement in the laying out of Perth and of its streets.

Mr. LANDER (East Perth): I am going to support the Bill. For a great number of years the ratepayers have been crying out by petitions to this Government and previous Governments for these extensions. Petitions were presented to the Labour Government seven years ago, and there have also been public meetings held in reference to the necessary extension of William-street. The object in opening up William-street is to give an outlet to North Perth, which has grown extensively during the last few years, and the people of which have been crying out for such an outlet. At the present time Lake-street and Palmerston-street are practically their only avenues into the City. The North Perth council have been agitating for an outlet into Perth for a long time, and the ratepayers support them in that proposition. Therefore, I say it is the duty of the House to open up William-street. Stirling-street provides an outlet from Guildford, Midland Junction and other places across the line. When we come to Stirling street we strike blind lanes. The object is to widen Little Stirling-street and take in Cecil-street and Shearer-street. I should have liked to see the inclusion of a crescent road right from the Beaufort-street bridge to Summer-street. It would not have cost much, according to the plans laid before the council by the late Government. There were a few corners left in connection with the railway resumptions. I am pleased that they have been done away with and I would like to see them also included. I have not noticed a single letter in the newspapers against these extensions, which, as a matter of fact, should have been effected years ago. What has prevented it? Vested interests have tried to keep everything south of the railway. The day has gone by, so far as these vested interests are concerned, and they will have to be more liberal-minded and allow the

City to extend. I would like to see the Government, instead of resuming all the property in Perth, put a railway across from West Guildford to Subiaco, and so save a lot of money and at the same time force the town out into its proper place.

Hon. J. MITCHELL: Why not shift the river?

Mr. LANDER: There is no getting away from the fact that the cry of "south of the river" can no longer be maintained. I am pleased to see that the Minister has got a little corner stuck in the Bill so that the city council can not do what they like with anything put into their hands. The leader of the Opposition declared that I ought to be more charitable. As a matter of fact, I think I have been too charitable. When we come to remember the case of the road metal, when £1,250 was lost, I say it is admirable to put in this clause. The council can come before the Government, and I am sure the Government will meet the council in a reasonable light. I have pleasure in supporting the Bill.

Hon. J. MITCHELL (Northam): I have just been wondering why the Minister wants to rush the Bill through, why we should take the second reading and the Committee stages to-day. There can be no reason for the hurry. The member for East Perth (Mr. Lander) says there has been no protest from the ratepayers. But do the ratepayers know that we are dealing with the matter and rushing it through?

Mr. Dwyer: It has been a matter of public notoriety for months and months.

Hon. J. MITCHELL: I do not know so much about that. It may be a matter of public notoriety, but I only heard of it a few weeks ago for the first time, and even then, until I saw the plan in the council's office, I did not know the land proposed to be taken. However, we have agreed that it is desirable to widen the streets. Certainly it is a good thing to make the streets more comfortable. With the leader of the Opposition, I think the council might well have started on more important streets. However, that is no reason why we should object to the widening of these streets, which we understand

are so much used. In the course of the Fremantle resumption, there was a resumed block which had no connection whatever with the widening of the streets. I am pleased to see that in every case here the blocks to be resumed have some connection with the streets.

Hon. W. C. Angwin (Honorary Minister): There are additional blocks here also.

Hon. J. MITCHELL: I think in each case the street does touch the block to be resumed. I hope when the city council are selling they will give the owners of these blocks to be resumed, particularly where the blocks are used for business purposes, the right to secure the portion which it is desired to sell.

Mr. Dwyer: Scarcely any of these are business blocks.

Hon. J. MITCHELL: However, if it happens that business is carried on on any of these blocks. I think the original owner should have the first right to the portion remaining after the council has taken what it requires. In Lincoln-street there are four blocks with a frontage of 180 links. A very small portion of these blocks will be needed for the widening of the street. Again in Bulwer-street there are several blocks, the remaining portions of which will be of considerable size. If they are sold, I think the original owner should have the first right, particularly if he has previously been carrying on business on any of those blocks. The owners would be paid a fair price, and the city council will want a fair price when they sell, and there is every reason why the owner should be given the first call over the land to be sold by the city council. Hon. members will agree that that is so. Supposing Hay-street were widened and the whole of the sites occupied by Brennan Brothers and Charles Moore & Co.'s premises were purchased, if the council proposed to sell the surplus land, surely it would be right to give the first option to those people who had established their businesses on the blocks. That is only reasonable. I think we should provide in this Bill and in all Bills of a similar nature that this should be done.

Mr. Dwyer: If there are business premises on the block.

Hon. J. MITCHELL: There may be a woodyard or some other small business.

Mr. Dwyer: No one would object to a woodyard being removed.

Hon. J. MITCHELL: But the owner may wish to continue his business. Take Bulwer-street—

Hon. W. C. Angwin (Honorary Minister): That is vacant land.

Hon. J. MITCHELL: If it happened that a man had a woodyard there, surely the business was of some consequence to the owner. If the council intended to lease or sell that portion of the land which they did not require, surely the man owning the business should have the first chance to buy it.

Mr. Gill: That does not affect this Bill.

Hon. J. MITCHELL: I know it is useless to urge on hon. members that anyone has any right at all in property. They seem to think it rather fine to take away a man's holding from him. They would take a man's business premises or his residential site with a good deal of pleasure. They object to the suggestion that the council when re-selling should give the original owner the first chance to purchase.

Mr. Gill: You are raising a little bogey just to get over it again.

Hon. J. MITCHELL: I do not expect the hon. member to agree with me. I think hon. members on the Government side delight in these resumptions, whether they are for public purposes or not. They will be delighted to see this land pass to the council or they would be still more delighted if it passed to the Crown. At any rate they are pleased at an opportunity to bring back to a public body the ownership of these blocks. The widening of streets very often increases the value of the land, and probably causes no injury to the block. When we are asked to agree to the purchase of these blocks affected by the widening of the street and when the council desire to sell the surplus portion, is it not reasonable that they should give the first chance to the original owner? If the block has increased in

value through the widening of the street, the purchaser would have to pay for it, or if the value is reduced, he would pay less. In the city council office recently I was shown particulars of the widening of a street in a city in the old country. I believe the blocks cost £4,800,000. Immediately the street was widened, and after all the land necessary had been taken, the remainder of the land was sold for something like £4,500,000. There the blocks had increased in value in some instances by reason of the widening of the street.

Mr. Gill: Would you suggest selling them by auction or by tender?

Hon. J. MITCHELL: There is no need for me to make a suggestion in that direction. I suppose the city council will place a fair value on each block and offer it to the public. If the owner will not purchase they can sell it by auction or by tender, as they think best. I hope the Minister will take into consideration the advisability of including a clause requiring that the first offer of land to be sold or leased should be made to the man who has been disturbed. There can be no objection to that even on the part of my socialistic friends opposite. I have no wish to oppose the second reading, but I think it is extraordinary that the Honorary Minister should want to get this Bill through at five minutes' notice.

Hon. W. C. Angwin (Honorary Minister): You have had it longer than that.

Hon. J. MITCHELL: I do not know why the Minister should want to rush it through, but he has a way of putting his Bills through with very little delay, and of getting hon. members to support him. It has always been so since he has occupied a seat on the Treasury benches, and he is exercising the same influence to-day. This is an important measure, and notwithstanding that, he is asking us to put it through in one sitting. That is all very fine from his point of view, but I do not think it should be done. I commend to the Honorary Minister for consideration the aspect of the question which I have raised, and I ask him to endeavour to be fair.

Mr. SWAN (North Perth): If the Government were capable of introducing a measure with regard to which the hon. member for Northam (Hon. J. Mitchell) would not find it advisable to criticise them, they would have accomplished a miracle. The deputy leader of the Opposition, I suppose, considers it his duty to aim all the criticism possible at any measure which the Government bring forward.

Hon. J. Mitchell: There is always that possibility.

Mr. SWAN: I do not object to the hon. member doing so. That is what he is there for. Possibly if he perseveres, he will eventually succeed the hon. member for Sussex (Hon. Frank Wilson) as leader of the Opposition.

Hon. J. Mitchell: I hope not.

Mr. SWAN: With regard to the Bill, there is very little in the criticism of the hon. member for Northam. I think this measure shows a gleam of intelligence on the part of the city council of Perth that is quite refreshing. The necessity for the measure shows that councils in the past have paid little regard to the proper laying out of the city.

Mr. Dwyer: They did not have the power.

Mr. SWAN: They have not the power to-day, but we are being asked to give it to them.

Hon. Frank Wilson: The city council will value that expression of opinion from you.

Mr. SWAN: I have not the slightest doubt that they will, but I will not lose any sleep over it if they do not. I am not concerned regarding the city council's opinion on the question at all, but this measure to some extent affects the constituency which I represent. It is just once in a lifetime that any measure comes along which affects my constituency. We are such a happy lot of people in the northern portion of the city that we seldom require any legislation at all.

Hon. W. C. Angwin (Honorary Minister): Only policemen.

Mr. SWAN: We want very few of them. This particular matter has been

exercising the minds of the people of North Perth for a long time, and apart from their point of view, the proposal from the point of view of improving the City generally is very desirable, especially as regards one portion of the scheme—the extension of William-street to Clifton-street. At the present time William-street, one of the main thoroughfares of the city, comes to a dead end at Brisbane-street, and one of the best recreation grounds or parks in the metropolitan area, namely, Hyde Park, is practically shut out from the city. I will leave to the hon. member for East Perth the matter of the other portion of the improvements suggested by these plans. The point to which I have referred is the only one that affects my electorate, and I believe every other portion of the improvements affects the electorate of the hon. member for East Perth.

Mr. Dwyer: My district is affected.

Mr. SWAN: The extension of Aberdeen-street certainly affects the district of the hon. member for Perth, but in any case I can heartily support every proposal put forward in this measure. Some exception has been taken to the proposal of the council to resume more land than is necessary, but in my opinion the council in this instance do not propose to resume any more land than is absolutely necessary to do the thing in a common-sense way. It would be quite absurd for the council to resume just sufficient land to construct the street, and to have to pay the whole of the cost of doing the work, while the blocks, though reduced somewhat in area, would be enhanced in value. In my opinion this is one of the most common-sense propositions ever placed before the House, and in regard to the improvement of Perth there has been nothing like it during my experience as a member of Parliament. I support the Bill, notwithstanding the opposition of the hon. member for Northam.

Mr. ALLEN (West Perth): The subject-matter of this Bill is nothing new. It has been before the people for a considerable number of years. I can date back for four or five years as a member of the Perth City Council, when the

council were agitating in response to requests from many ratepayers to make some of these through roads. There is not the slightest doubt that some people may suffer some injury, but that has always been the way when land required for public purposes has been resumed. Two or three years ago a man came to see me and complained that he was to be turned out of his business and so forth. But these cases will always happen. If it is possible to give the men who have been disturbed an opportunity of taking the surplus land after the resumption, there may be some weight in the argument of the hon. member for Northam. The city council are fortunate in proposing these resumptions at the present time, inasmuch as a great deal of the land to be resumed is vacant. A considerable area of it has no buildings on it at all, and consequently no injury will be done in those particular cases. In other cases the buildings are of such a nature that the compensation which will have to be paid will not be unduly heavy. When the city council were floating their loan in May last the estimated cost of these resumptions was put down at £30,000, but I understand that this amount will not be sufficient to cover the cost. The hon. member for North Perth made a remark to the effect that it was quite refreshing to have a manifestation of intelligence on the part of the city council in bringing forward this proposal. I think that reflection is hardly fair. The Perth City Council can do very little on their own. They have to come to Parliament for so much assistance, and very often Parliament is not prepared to give them the assistance they require. This Bill represents just the commencement of a scheme for the improvement of the planning of the City, and the measure will have my support. I do not know what the object of the Honorary Minister is in rushing it through at one sitting, but on the other hand I do not know that anything will be gained by delaying it. I have had a chat with some of the people interested, and they quite approve of the measure. The Bill has originated on their initiation, and the Government are merely giving effect to their wishes. The coun-

cil I think might be allowed to sell the surplus land on their own responsibility, and off their own bat. I do not see why it should be necessary to get the consent of the Governor-in-Council to sell the land. Probably it is only a matter of form, but it is a provision which may tie the hands of the council. If the council wished, in the best interests of the ratepayers, to dispose of any of the surplus land, they should not have to first run to the Governor-in-Council to obtain consent for the sale. However, it is my intention to support the Bill.

Hon. W. C. ANGWIN (Honorary Minister, in reply): The leader of the Opposition referred to the fact that Parry-street and Edward-street were not in a direct line. The reason is to get that street carried a little to the east for the purpose of junctioning with Good-street, which also junctions with Brewer-street at Loton's Park. As I stated, it is almost impossible to get these streets to run direct and the council has taken the best means possible to get as near some of the other streets whereby there will be direct communication. The matter of giving the right to sell, subject to the consent of the Governor-in-Council, is a provision which is in the Municipalities Act to-day, but there is greater power given here in regard to dealing with land in other ways. The clause in the Bill provides that the money which is to be derived from this land must be used for the purpose under which this special order is issued, for repayments and so on, and when the land is sold it is only right to see that the Colonial Treasurer shall take care in regard to the sinking fund that the matter shall be referred to the Governor-in-Council, which will really mean the Government for the time being, who will see that the Act is carried out in the direction desired.

Mr. Allen: Cannot you trust the council to do that?

Hon. W. C. ANGWIN (Honorary Minister): In dealing with the sinking fund the responsibility is thrown on the Colonial Treasurer to see that that sinking fund is properly provided. The member for Northam (Hon. J. Mitchell)

referred to a large area of land in Bulwer-street. I pointed out when moving the second reading of the Bill that as far as this land is concerned, it has been offered to the council at a reasonable price. This land is used as a Chinese garden and the council are satisfied with the price at which it was submitted to them and they thought it best that the municipality should purchase it.

Hon. J. Mitchell: I did not know whether it was occupied or not.

Hon. W. C. ANGWIN (Honorary Minister): This land will increase in value considerably and the council cannot sell it at the present time, or cannot lease it for a longer period than 21 years. This Bill will give them the power to deal with it in any manner that they desire. The only business places which will be interfered with are a shop or two in Brisbane-street at the corner of Wade-street. I pointed out to the officers of the city council that there were one or two blocks there which they will just touch a portion of, and I asked their reason for taking the lot, and they said the idea was that the persons who had businesses at and near the corner should have an opportunity of moving a little further away. There is a small portion in Wade-street which the council intend to beautify by making a garden. If I mistake not, I do not think there are any other business premises in that portion of the area which the council proposes to resume. A large portion of this land has been under offer to the council and a good deal will be purchased by private arrangement without having to resort to the provisions of the Public Works Act.

Question put and passed.

Bill read a second time.

In Committee.

Mr. McDowall in the Chair; Hon. W. C. Angwin (Honorary Minister) in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Powers of council over such of the lands as are not required for street extension;

Mr. MALE: Would the Minister explain why the words "provided that no portion thereof shall be sold without the consent of the Governor" appeared in the clause? It seemed hardly necessary to include those words. Surely the council should be competent to decide for themselves whether they wished to sell or dispose of the land.

Hon. W. C. ANGWIN (Honorary Minister): Before it was possible to sell all lands held by the local authorities, no matter where they were, it was necessary to have the consent of the Governor, and it was necessary to have the consent of the Governor also before they could be leased for over three years. Then the clause went on to provide—

The proceeds arising from any sale or sales shall be applied by the council in the same manner and for the same purposes as the moneys borrowed under the said Special Order, and to that extent shall be deemed portion of the loan raised under this Special Order.

Mr. MALE: That provision in the clause seemed unnecessary. What would be the effect if we left out these words? Would the council be able to dispose of the land if they liked? At the same time we provided that the moneys realised from the sale of land should be devoted to certain purposes such as the reduction of the loan. The Committee would be justified in leaving out the words he had quoted.

Hon. W. C. ANGWIN (Honorary Minister): There was a similar provision in the Municipalities Act. It would be the only opportunity the Colonial Treasurer would have of knowing whether the land was disposed of or not.

Clause put and passed.

Schedule, Title—agreed to.

Bill reported without amendment, and the report adopted.

[*The Deputy Speaker (Mr. McDowall) took the Chair.*]

BILL—RIGHTS IN WATER AND IRRIGATION.

Returned from the Legislative Council with requested amendments.

BILL—DISTRICT FIRE BRIGADES ACT AMENDMENT.

Returned from the Legislative Council
without amendment.

BILL—PLANT DISEASES.

Second Reading.

Debate resumed from the 16th October.

Hon. J. MITCHELL (Northam): I agree that from time to time it is necessary to bring our legislation up to date and probably there is no case where it is so important to do so as in connection with the legislation affecting the orchards of the State. We want to prevent the introduction of diseases and to give the fullest possible powers to control them. We are asked to consider this Bill, which is really a measure to repeal the Act now existing, the Insect Pests Act, and which re-enacts most of the sections in that Act. There is one important omission, however, that I would call the Minister's attention to, as well as that of hon. members, and it is the right of appeal. I have no doubt that it is an inadvertent omission. In the Insect Pests Act there is the right of appeal, which hon. members will admit is most important. Members who represent fruit growing districts will realise that we are giving the inspectors increased powers. I know, of course, it is necessary that they should have extensive powers, but we are giving them the power not only to report on but to order the destruction of orchards, or trees, showing signs of disease, in order to prevent the spread of those diseases. These are very great powers, and the hon. member for Swan (Mr. Turvey) and the hon. member for Toodyay (Mr. A. N. Piesse) will appreciate the authority that we propose to confer upon the inspectors. I do not wish to say one word against the inspectors. I suppose to-day they are more experienced than they were a year or two ago. The inspectors have been for a considerable time in the department, and they have done their work well, and they will probably exercise the extreme powers it is proposed to give them with discretion.

It may happen, however, that we may have to appoint new inspectors at some future time, and it is the work which these officers will be called upon to carry out that we must bear in mind. The Bill covers all plant life. I suppose that is desirable to combat diseases, and it is necessary to extend operations to other trees which harbour pests. We can afford to give the Minister great power in connection with this very important work. The House will realise that we have kept out the codlin moth because of the extensive powers conferred under the original Act. Hon. members know from time to time the codlin moth has made its appearance on our seaboard, and on each occasion the inspectors under Chief Inspector Hooper successfully eradicated the pest. That has been a good thing for this country, because this is a great apple State, and it will be even greater in that respect, and it is a grand thing to be able to say throughout the world that our apples have come from a country which is free from the codlin moth. Unfortunately it is not possible for us to say that we have successfully combatted every other disease and pest. We have the fruit fly and other diseases which we are dealing with, and which we should like to eradicate. In this Bill we are asked to legislate for the control of imports from overseas. The Minister must know that this question is entirely under the control of the Federal authority. The Quarantine Act provides, of course, for the control of all imports, and the Minister ought to know that the Commonwealth Government have been active in this connection. I remember that a few years ago 400 cases of apples were landed from Greece, I think, and they contained the codlin moth. Representations were made to the Federal authorities, and they were asked to allow the diseased fruit to be destroyed if it was landed. When I was rung up by the Under Secretary and informed of the position I knew that we could not touch the fruit until it was placed on our shores, but immediately it was landed it was destroyed, and we took the risk of objection from the Commonwealth. However, we cannot

deal in this Bill with the control of imports. The Minister knows that in some parts of the North-West fruit and vegetables are brought in for local consumption and it is not desirable that that convenience should be stopped. I just desire to remind the Minister that it is futile for us to legislate in the direction of controlling imports, because the Commonwealth Act will override ours which will be *ultra vires*. The Minister will find that in the Quarantine Act the powers he seeks in this Bill have been already taken and are being exercised. We are also asked to legislate against the export of plants affected with the San Jose scale. I know that the Eastern States have legislated in that direction but I do not know why, because, to my mind, it is for the importing country to say whether diseased fruit shall be allowed in or not, and I believe there are some countries which do not object to the entrance of plants affected with this scale. However, the Minister will agree with me that as we have the disease and no objection to the export of affected plants or fruit has been raised, it is inadvisable to set a bar against export which will only act against our producers and not lead to any good result, so far as I can see. If the Minister argues that the quality of our fruit may be questioned because we allow some fruit to be sent away with that disease, that will be another matter, but it will be necessary for him to mention some instance where the Western Australian fruit has been depreciated in value by reason of that fact. I have already stated that an inspector may order an orchard to be grubbed and there is no provision for appeal against such an order. I hope the Minister will see that an appeal is provided for, because it is a serious thing for a man to lose his orchard. I remember a case when I was Minister of an owner coming to Perth from the South. An inspector had given notice that his nursery was to be grubbed and trees representing a value of thousands of pounds were to be destroyed. Upon inquiry it was found that the disease did not justify the order, and so the trees were

saved. If it had not been that the owner had time to come to Perth and protest he would have suffered a considerable loss and the State would have lost a great many trees which it really needs. Whilst the inspectors do good work and are active and intelligent men, it is not possible that they can be infallible or that they can be experts in all diseases. Therefore, it is desirable that the Minister should make provision for some method of appeal. Section 26 of the Insect Pests Amendment Act of 1898 reads—

Any person feeling aggrieved by any order or conviction under this Act shall be entitled to appeal therefrom to the Court of General or Quarter Sessions or to the Supreme Court in the manner and form and in the terms respectively which are prescribed by the law in force for the time being with reference to appeals.

I think the first appeal should be to the Minister, and then if the owner feels aggrieved he should be able to take his case to a higher court. There is to be no compensation for an orchard which is destroyed, and an inspector would have the right to order the grubbing of an orchard if he thought it necessary in order to prevent the spread of disease, but if a clean orchard is destroyed the owner should be entitled to compensation. A clean orchard might be a buffer between a diseased orchard and other clean orchards and the protection of the clean area would be possible only by rooting up the intervening area. In such a case there should be compensation. I ask any hon. member if he had a grove of orange trees which were a source of profit and pleasure to him how would he like to have them rooted up by the inspector without his having the right to appeal to the Minister or to claim compensation, notwithstanding the fact that the orangery was quite clean. I think that legislation of that character is wrong, and I hope the House will see that the clause is amended. However, I can well leave that matter in the hands of members representing the fruit growing districts.

Mr. Male : Is not Northam a fruit-growing district ?

Hon. J. MITCHELL : It is, and so are Canning, Swan and Toodyay. The Bill provides that prunings are to be destroyed. Where the prunings are diseased that is quite right, but in the case of grape vines the cuttings are always used to produce other plants. They are sold and planted and we produce other grape vines in that way. The Bill as drafted, however, does not leave any power to the grower to save any of his prunings, and I think it will be necessary to give some power in the direction I have indicated. It is perfectly right that where an orchard is diseased the cuttings should be destroyed, but that should not be so in all cases. There is a provision which will give the Minister power to deal with abandoned orchards, and I am told that abandoned orchards, particularly small ones, are a source of danger to those who keep their orchards clean. But in every case before an orchard is destroyed the Minister should personally deal with the matter and give the necessary order.

The Minister for Lands : The Bill provides that it must be done by the Minister.

Hon. J. MITCHELL : That is so in one clause, but in another clause it will be found that the intervention of the Minister is not necessary, and I want it to be made clear that the Minister must give the order in all cases. There might be a case where the owner was absent for six months on a holiday and not giving any thought to his orchard, although he valued it, and it would be distressing for him to return and find that his trees had been destroyed. Then there are orchards on which city people spend the week-end.

The Minister for Lands : They would not be considered abandoned orchards.

Hon. J. MITCHELL : Perhaps not, but we want to be careful to preserve to the Minister the right to destroy abandoned orchards, and we want to see that the owners are protected. I do not think the law is likely to be put into operation against the owner of an orchard which is reasonably kept, but we

do not want the law in this connection to go further than is necessary. In regard to a minimum penalty, it is provided that it shall not be less than one-twentieth of the maximum. That is a new provision. Generally we provide a maximum and leave it to the courts to say what the minimum shall be.

The Minister for Lands : Under the Health Act there is a minimum penalty.

Hon. J. MITCHELL : It has not come under my notice, and I do not think we should provide for it in this Bill. As the member for Moore would say, the sting of the measure is in its tail. In Clause 45 we are asked to give the Minister power to make regulations, and it is proposed that these regulations shall enable him to license orchards, vineyards, nurseries, auction rooms, shops and markets and other places used for the sale of plants and fruit. I do not propose to suggest that the Minister will act harshly and apply this provision to the whole of the State. That would be altogether unnecessary, but, still, he is asking for considerable powers. In regard to the licensing of markets for instance, the inspectors know well where fruit is sold without the necessity for any license at all. Then it will be necessary to license shops for the sale of fruit, and the Minister will find that the wording will include dried fruits, and then the Bill will cover every grocer's store in the State. If the Minister charges a license fee is he not likely to restrict the sale of fruit which is already too scarce in country districts and in the metropolitan area? I hope the Minister will not ask us to give him more powers than are needed in this direction. It is a moot question whether it is necessary to register vineyards and nurseries.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. MITCHELL : Before tea I was dealing with the registration of orchards and endeavouring to point out that the registration of sale rooms, auction marts, and shops could have no good effect. Even in the metropolitan area, the Minister will find it a little difficult, particularly if registration is

applied to the people who sell fruit of any description, as I think this measure will cover dried fruit as well as fresh fruit. I hope the House will agree that the only effect of registration if a license fee is charged will be to put up the price of fruit to the consumer, not because of the amount of the license fee but because many people who sell a very small quantity of fruit would go out of the business. We are too fond of putting restrictions on the people who trade in the necessities of life. I suppose the Minister will tell the House just why he wants registration. Does he want it so that he will know where fruit is to be found, and where the inspectors may look for disease? Will it advantage him at all to have all sellers of fruit registered and licensed? I think it will not. I quite understand that the inspectors will have a great deal more to do because under these provisions they will have to visit all sorts of shops, shops that are supplied from a common centre.

Mr. Turvey : Do you not think it will assist in the tracing of diseased fruit ?

Hon. J. MITCHELL : No, because as I have explained, these shops are supplied from a common centre, the producers' markets and the markets of Perth. The inspectors visit the markets and watch the fruit passing to the distributor, and in addition I suppose they see the fruit in the principal stores of the city where the greater quantity of it is handled so that under the present system they have ample opportunity to detect disease. Naturally the best place to detect disease is in the fruit market, because the fruit comes there from every part of the State where it is grown. There is a provision in the Bill which will make it imperative for people having fruit to give the fullest possible information to the inspectors regarding it. That is a good provision, and it is at the market rather than at the small shop that the inspectors will do their work. If the work is done thoroughly there, there will be no need for the inspectors to go further. I quite realise that diseased fruit has been found in shop windows, but I contend that it will not be more easily traced because the shop hap-

pens to be licensed. The Minister will have power under the regulations, to prescribe certain areas over which the licenses will apply. Of course it would be a troublesome matter to apply the system of registration and to impose a license fee on all shops throughout the State. Already we have trouble in the country districts and in the northern portion of the State, because these are very large centres, and we will have trouble in connection with the fruit supply. Fruit is scarce and dear because the general dealer will not handle it, and is it not possible that if a license has to be taken out by every storekeeper there will be still less fruit available? One can understand the desire to license nurseries, because in addition to the big nurseries, other people strike a few vines or trees which they sell to their neighbours. People who are dealing in trees ought to be required to notify the fact to the inspectors. I would like to see the measure go a little further in regard to nurseries. There have been serious complaints about the trees sent out from time to time, not only as to their quality but as to the variety not being in accordance with the order, and this has resulted in many thousands of pounds being lost to growers. This is a serious matter. The trees should be true to name, as well as being free from disease. We cannot, of course, insert a clause imposing a penalty upon nurserymen for offences of this kind unless the Minister agrees to alter the title of the Bill, but it would be well if that could be done. Very serious complaints have been made from time to time in this connection, and these complaints justify the Minister in taking some action. The Minister not only wishes to register orchards, vineyards, nurseries, auction rooms, shops and markets, but also premises used for the storage of plants and fruit. If the Minister declared the metropolitan area an area over which licenses must be obtained by people who desired to store fruit, I venture to say that if the member for Mount Margaret wished to get in two or three months' supply of apples and store them on his premises he would have to take out a license and pay a license fee. People are beginning to buy their

fruit by the case. Oranges and apples can be stored for a considerable time, and people get in supplies when they are cheap and when they can obtain the varieties they want. It is only when fruit is plentiful that they can get it cheap and of the varieties they desire.

The Minister for Lands: It does not pay to buy it by the case.

Mr. Taylor: It is too expensive to buy it retail.

Hon. J. MITCHELL: I thought it was part of the policy of the Minister for Lands to cut out the middleman and encourage people to buy their fruit by the case at auction.

The Minister for Lands: I have tried purchasing fruit by the case for the kiddies and it comes more expensive than buying it retail.

Hon. J. MITCHELL: More power to the children. It is possible to find in this Chamber fruitgrowers who will supply fruit not by the pound but by the case, and it is possible to get it cheaply and just when it is wanted. It is not the intention of the Government, I presume, to compel a man who has a couple of cases of apples or six months' supply stored on his premises, to take out a license and pay a license fee, but this Bill will make it imperative for him to do so, or he will run the risk of prosecution and that will mean a heavy penalty if a fine is imposed. The Minister is taking power to fix the fees himself, of course under regulation. That is usual, and we cannot complain about it, but I should like to know what his ideas are in regard to the matter. Is it his intention that the fees will be used as a means for raising revenue? I hope not. In regard to the Game Act, the Honorary Minister was responsible for the imposition of a very high fee by regulation, namely £3 for the right to shoot kangaroos. Will people be charged a heavy fee for selling fruit? The Minister should make his intentions clear to the House. In my opinion the fees, if imposed at all, should be as light as possible. I agree that this trade should be regulated, at any rate in order to give the inspectors power to detect and follow diseases. I agree that

the Bill must give immense powers to the inspectors, but I hope the Minister will be reasonable and do the thing which is reasonable and fair. I have no complaint against the Minister taking great powers under the Bill, but there are many matters I have pointed out which should receive the attention of the Minister. The question of compensation for the man whose orchard is clean and is destroyed because it is necessary to prevent the spread of disease should receive the Minister's consideration. The question of an appeal against the inspector's decision is a matter that should be provided for, and I think that wherever it is possible, the Minister should require the inspectors to report either to the commissioner or to himself before taking action. We are giving the inspectors statutory authority when in most cases it should be reserved to the commissioner or the Minister. I am very glad indeed that the Minister is amending the existing Act, because it needs amending, particularly now that there has unfortunately been introduced into this State one or two diseases which need very serious attention and probably will require drastic action. The members on this side of the House welcome anything that will keep this State free from disease. I hope the Minister will have power under this measure to deal with all vegetable diseases, whether of fruit or potatoes. Hon. members know that this State is suffering to-day because there have been some outbreaks of Irish blight. The Minister has powers and he has dealt with these outbreaks, but with a measure such as this before Parliament, he should take statutory authority to do all that is necessary not only to eradicate the disease, but to prevent the introduction into the State of diseases of any kind relating to plants. The Minister will realise that the definition in the Bill covers everything but I am not certain that he will have power to deal with diseases other than the diseases of fruit. If that is the case I hope that he will provide for the necessary power, and to do that it will be necessary to delay the Committee stage, and to go into the matter with his officers so that the necessary provision can be brought

forward by way of further amendment to the Bill.

Mr. A. N. PIESSE (Toodyay): As has been said by the hon. member for Northam, members on this side of the House certainly do welcome this measure. As far as I am concerned, I realise that the time has arrived when we should have powers necessary to enable us to cope effectually with plant diseases and pests. I realise that as regards orchard inspection the Agricultural department have been faced with a very difficult task indeed. They have done excellent work in coping with the outbreak of codlin moth on one or two occasions, and without any very serious loss to owners of orchards, who were unfortunate enough to have this pest on their holdings. But we are faced now with a much greater scourge than the codlin moth, namely, the fruit-fly, and from my experience of that pest we will have a very serious difficulty indeed to put it down. In fact, I am inclined to think that it will require very drastic measures indeed to prevent its wholesale spreading and immense loss to fruit-growers. The Minister introducing this measure mentioned that at the recent conference the member for Toodyay had advanced the idea that this pest could carry over the winter months. It is true that the moth has been discovered in Toodyay orchards since I made that statement, and I am still of the opinion that there are good grounds for the assumption that this pest has the power of tiding over the winter months in Western Australia. I have followed the life of this insect, so far as I am able, and I have found it reappear in the warm months without any apparent medium, so far as we are concerned, in the way of what is called an over-carry. It is necessary, I quite admit, to have full powers to enforce the gathering up of the fruit that has been neglected in the past in a great number of orchards, and if power is given as is proposed in this measure, these people will be forced to gather that fruit from the ground and thus counteract one means of perpetuating the pest. There are, however, other means by which this pest gets throughout the country, and one

I believe is through the medium of passengers in trains, who purchase fruit in the city or other places, find it infested when passing through the country, and out of the window it goes. That, no doubt, is a means for the propagation of the pest. I am of opinion that the inspection of fruit-shops and street carts should be very careful and almost daily owing to the fact that this fly is extremely difficult of detection in the early stages, and if we are to have any good work done in the matter of inspection it is almost necessary, in fact I should say it is absolutely necessary, to inspect these places daily. Inspection in the central fruit markets is not sufficient. The inspectors may examine the fruit and pass it as clean to the best of their judgment, but after it is kept a day or two the pest may develop, and unknown to the inspectors be sold and carried about the country. Second-hand cases have been mentioned as a means of spreading the pest, and other diseases, scale for instance. I believe there are good grounds for supposing that second-hand cases are a danger, but I would be sorry indeed to see the destruction of so many valuable cases. The case which I use myself costs one shilling by the time it is made up. These cases are of excellent material and are sound when empty, and to my mind some means should be provided for the disinfection of these cases whereby they could be used again. I formerly held the view that it was absolutely necessary to destroy the case, but I feel convinced now that means could be provided to effectually deal with any pest or disease that these cases might contain or carry by means of fumigation. They are useful in other industries; for instance, market gardeners use large quantities of fruit-cases in the marketing of tomatoes. These tomatoes when sold in mid-season realise sometimes 2s. or 2s. 6d. a case, and if the gardeners had to purchase cases for that trade the price of tomatoes to the general consumer would be found higher. Therefore, I would like to put in a good word for the second-hand case, as it would be a pity to destroy so much valuable material. Compared with the

Victorian Act greater powers, certainly very sweeping powers, are given in this Bill. I object to the inspectors having power to enter any house, and I hope that in Committee this clause will be amended, and the powers to enter a house will be removed. If the house or structure is used for the storage of fruit such powers might be given, but authority should not be given inspectors, or at any rate a good many I know, in the case of houses generally. As I have already stated, the inspection of fruit for sale should be an important part of the duties of these inspectors. The hon. member for Northam (Hon. J. Mitchell) has advanced a plea that these shops should not be licensed. I am not in agreement with the hon. member, as I think it is necessary for stricter supervision to be exercised in that direction. I am in accord with the provision for the destruction of abandoned orchards, as many of them are a decided menace. I would also like to see in connection with the destruction of abandoned orchards a definition that even one tree might constitute an orchard for the purpose of this Act. One fig-tree infested with fruit-fly or any other scourge of its kind is a menace to the whole country. Then there is the question of prunings. I shall certainly oppose the power for the destruction of all prunings, as many of them are extremely valuable. When the Bill is in Committee I hope the Minister will accept an amendment exempting or preserving from destruction under certain conditions all prunings suitable for the propagation of the plant from which they were taken. The question of nurseries is one that has exercised my mind, and seriously affected my pocket. The nurserymen, I contend, should be made to register their orchards, and it should be made unlawful for any nurserymen or seedsmen to sell plants untrue to name. I am safe in saying that some thousands of pounds have been lost by different planters through the supply of plants untrue to name. This is a very serious matter, and I would like the Minister to include some clause in this Bill to deal with it. I have also seen trees supplied by nurserymen in many cases absolutely

infested with scale, and I have seen two different forms of scale on one tree. A great quantity of the plants supplied to growers are unsuitable for planting; old orchard stock, what we would call "stunted," is frequently supplied to the people, and to those not much acquainted with fruit it is a source of loss.

Hon. J. Mitchell: There should be a good stiff penalty for that sort of thing.

Mr. A. N. PIESSE: Undoubtedly. I am opposed to certain penalties provided in this Bill, and would like to see it left to the discretion of the court, with power, if it is found necessary, to impose a higher penalty in the case of a second offence. The first offence might be due to a mere technicality, and any court dealing with these cases should certainly have the power to do so on their merits. I thought when I first read the Bill that there was no special tax or burden imposed on the growers under the measure, but I see that under the power to form regulations the Governor has power to impose a registration fee, and to this I am opposed. I think it is the duty of the State as a whole to carry out this inspection work. We are employers of labour, and we are certainly of as much importance as any other industry which does not carry a special tax. I have much pleasure in supporting the measure, and when it is in Committee I hope the Minister will accept certain amendments, particularly reducing the power of the inspector, and also affecting the destruction of prunings.

Mr. TURVEY (Swan): I welcome the introduction of this Bill because I realise fully the necessity for taking very drastic measures indeed in regard to pests in connection with the fruit industry. I am aware that the Bill gives the Minister power to deal with diseases and pests affecting forms of plant life other than those connected directly with the horticultural industry, but I venture to say that the main reason which has prompted the Minister in introducing the measure at this stage is to cope with one of the biggest scourges that has ever been known in the horticultural industry of Western Australia, that already referred

to by the hon. member for Northam (Hon. J. Mitchell) and the hon. member for Toodyay (Mr. A. N. Piesse)—the fruit fly. If hon. members in this House fully understood the destruction and havoc that is being caused by this pest at the present time they would support any Ministry in introducing a Bill to take the most drastic measures to eradicate it. Might I point out just for a moment the value to the State of this industry, which is being so seriously affected at the present time by the pest to which I have referred. Some 22,000 or 23,000 acres are to-day under cultivation with various fruit trees, exclusive altogether of the acreage that is planted with vines. Each year sees a big increase in the acreage placed under cultivation in connection with the fruit industry of Western Australia, and each succeeding year sees a big increase in the amount of fruit which is exported from this State. When I tell hon. members that the estimated value of the crop for the present year, based on the average obtained at the present time in the markets in the city, and also the average prices that have been obtained on the London and Continental markets for our fruits, the estimated value of the fruit crop in Western Australia, exclusive of the crop from our vineyards, would be about £300,000 per annum, and as I have already pointed out this amount is constantly being added to. When one takes into consideration the amount of capital involved and the vastness of the industry which is being thus affected, one is ready to support the Minister in taking the most drastic steps to endeavour to keep our orchards as free from disease as possible. Before departing from the subject of the pests to which I have referred, I want to endorse the opinion expressed by the member for Toodyay (Mr. A. N. Piesse) that whilst it is necessary in the interests of the orchards of the State to see that fruit cases are kept free from infection, I think it is deplorable, nevertheless, that such an amount of waste is being carried on in the destruction of those cases, and I would urge upon the Minister to carry on a further trial with

the steaming plant which he has at Fremantle, because the value of the cases used per annum in Western Australia on the figures I have quoted would be about £25,000; that is, taking the cases at an average price of about 9d. It is estimated that 652,000 cases of fruit were produced during last year, and I am not taking into account the cases that were required for grapes, or in connection with market gardens. Hon. members will thus see that the figures will be considerably over those I have mentioned, and I hope the Minister will use every effort to bring about a saving in this direction. I believe it can be done. I do not say that cases should be used over and over again, but they certainly could be used a few times after steaming or dipping, and then they could be branded and passed on to market gardeners for their use. The member for Toodyay rightly pointed out the one great cause of the spread of the fruit fly throughout Western Australia, and that is diseased fruit. There is much of it in circulation and it is also thrown out of railway carriage windows by people travelling in various parts of the State. The Minister for Lands himself had a recent opportunity of seeing some delicious fruit at a show and he was tempted to take it home, only to find when he started to enjoy it that it was alive with fruit fly. Had that fruit found its way into the hands of one less observant or less careful than the Minister, it might have been carelessly cast aside or thrown into a back yard to spread the pest to neighbouring trees. The member for Northam (Hon. J. Mitchell) pointed out, or endeavoured to assure the Minister, that there was no necessity for the registration of fruit shops, and I do not know that the hon. member altogether convinced the Minister.

Hon. J. Mitchell: I assured him, but I do not know that I convinced him.

Mr. TURVEY: At any rate, I hope the hon. member did not convince the Minister. Unfortunately for the fruit industry in Western Australia, there are some growers, though they be few, who are careless and, may I say, despicable

enough to dodge the market, and they use some of the shops as a medium for getting their bad fruit into circulation. I believe with a proper system of registration, much could be done to prevent that, and I further venture the opinion that in order to cope with that phase of the difficulty properly, it would be necessary to have one big central market. In the interests of the fruit growers of the State, I look forward to the early establishment of the central markets which have been referred to by the present Government. In the metropolitan area to-day we have only one fruit inspector operating the markets, and there are no fewer than three markets. It is impossible for one officer, no matter how capable he may be, to be in three or four places at once. Therefore, he cannot follow the fruit when it is passing through all those markets. I want also to mention that I believe it was the member for Toodyay who said that he did not think the inspection was quite as efficient as it might be at the producers' markets. I would like to point out that the inspector who is operating the market, when he sees the fruit coming along on the runners in front of the buyers, he knows the brand on the case and he has a fair idea whether the fruit is clean or not. The City inspector is always in direct touch with the field inspectors, and the field inspectors from my own personal knowledge are men who are keenly alert to the necessity for preventing the forwarding of diseased fruit from the orchards, and they are able to report to the City inspector and let him know what orchards are diseased. Therefore, the City inspector, who is operating in the markets, knows by the brand on the case whether there is a likelihood of disease being found in the fruit or not. He is aware of this, just as purchasers know the value of the fruit by the brand on the case. To those members who have taken the opportunity of visiting the fruit markets it must be apparent that many of the buyers of fruit care little or nothing so far as the examination of fruit is concerned. Some of our growers, and I am pleased to admit it, have gained such esteem and reputation for

putting up clean fruit and packing it well, that there is frequently little need for a purchaser to open a single case or examine the fruit. They buy upon the reputation of that grower. It will be fresh in the memory of hon. members that some years ago efforts were made to cope with diseases in our orchards by the introduction of parasites, and I hope that the Government will continue its efforts in this direction. I believe it is possible to secure a parasite which will rid the country of this pest. The only effective method orchardists have to-day of dealing with the fruit fly is one which is of a primitive nature, that of putting a saucer half full of kerosene in the orchard in order to trap the fly. It is admitted even by the biggest growers that this is the most effective method of coping with the pest. I trust, however that the Minister will use every effort to secure for the State a parasite to prey upon this pest.

Hon. J. Mitchell: He has a parasite now.

Mr. TURVEY: It certainly cannot be said that it has proved effective so far. I have already pointed out that only one inspector is operating the fruit markets. If this Bill passes it will be necessary for the Minister to appoint additional inspectors, not only in the City, but also in the field.

Hon. J. Mitchell: And increase the deficit.

Mr. TURVEY: And notwithstanding the deficit which the member for Northam is so fond of alluding to, and which he is always ready to assist to increase, I want to assure the hon. member that if it does mean increasing the deficit by a few thousand pounds, I am ready to support the Minister in appointing additional inspectors. I know that to-day inspectors are hampered. They are capable men, but the task allotted to them is too great, and when the Bill becomes law, they will have increased duties to perform. I am pleased to note that provision has been made for the rooting up or the wiping out of existence of abandoned orchards. In almost every part of the fruit-growing portion of the State

one can see neglected and, I might say, deserted orchards. Not only are they one of the means of spreading diseases and pests through the orchards, but they prove the worst advertisement that our fruit-growing portions of the State can possibly have. I am sorry to think that in some of our richest horticultural districts we have a few—I will hardly call them growers or orchardists—people who, I think might be aptly termed pests themselves. I welcome indeed this provision in the Bill for giving our inspectors power to deal with abandoned orchards. Before I pass away from the matter of inspectors, I would like to compliment the Fruit Industries' Commissioner, Mr. Moody, on the manner in which he has worked. At the outset of his labours in this State, Mr. Moody worked against as bitter an opposition that could be levelled against any public officer, and I am pleased to know that that gentleman has conquered that opposition and that those who opposed him are now just as friendly towards him and just as anxious as he is to keep the orchards of Western Australia clean, and they now recognise the ability of the Commissioner.

Hon. J. Mitchell: It was a good selection.

Mr. TURVEY: It was a good selection, and I believe the member for Northam (Hon. J. Mitchell) was concerned in it. I compliment him on having done at least one good thing while in office. Mr. Moody is also very ably assisted by his chief inspector, Mr. Wickens. Again I say it will be absolutely essential, and the money will be well spent in putting on additional inspectors. I am glad to know that the passing of the Bill will do away with any necessity for the form of taxation which was proposed by the fruit growers of Western Australia when they met in conference. I noticed that the member for Toodyay (Mr. A. N. Piesse) who, I believe, was a member of that conference, when speaking to the Bill said he deprecated the charging of any fees because it was going to tax the orchardists. May I say in reply to that, that the orchardists of Western Australia showed at their annual conference

that they were quite willing to submit to taxation in order to assist the Government in encouraging and protecting the horticultural industry. The member for Northam rightly pointed out that the right of appeal should be given. After all, where these drastic clauses occur in the Bill—and there are a few which are drastic, and which perhaps may be modified in Committee—I believe it is necessary that in some of these cases the owner should have the right of appeal to the Minister. Reference has also been made to the fact that some nurserymen, not only in this State but in the other States, were sending out trees and plants which in many cases were not true to name. When the Minister was making his second-reading speech I suggested by interjection that it was desirable that some provision should be made in this direction. Probably it is not always the fault of the nurseryman. It may be due to some oversight, or due to the fact that a nurseryman in this State may get his goods from the Eastern States; because I do not think we have in Western Australia any nursery sufficient to provide the young trees that are being planted. I think some provision should be made in the direction I have indicated. I appeal to the member for Toodyay that to allow an inspector to enter any house, as is provided in one clause, is giving the inspector altogether too much power. That I may say, is not with the approval of the Minister. The inspector may enter any house at any time. Probably it is an oversight in the Bill, and the intended meaning is "any house in which fruit is usually stored for commercial purposes." I also notice that, in connection with the eradication of disease from orchards where it is necessary for the inspector to take action, if the owners do not respond when the notice is served upon them a daily penalty of £5 is provided. I venture to say that penalty is altogether too high. If by any accident the owner did not get the notice, or was away from home for a fortnight, the penalty would run into a fairly considerable sum of money, perhaps £100. I do not think such a penalty should be imposed. I

agree with the member for Northam that there is no necessity for fixing, as is done in one clause, the minimum penalty at one-twentieth of the maximum. That should be left to the discretion of the magistrate or whoever will be dealing with the prosecution. I agree with the provision that prunings should be destroyed. While the clause to which the member for Northam has referred may set out distinctly that all prunings should be destroyed, I know perfectly well that is not the intention of the Minister. If an error has been made there I take it the error will be set right in Committee. It is necessary that prunings, which are in many cases allowed to remain on the ground to be subsequently ploughed in, should be destroyed, for it has been proved time and again that the prunings when ploughed in are responsible for one of the fungoid diseases which are causing a great deal of destruction, particularly to the apple trees in Western Australia. The member for Northam pointed out also that an orchard may be termed abandoned or neglected if the owner is away for, say, the week end. A brief study of the Bill should have shown the hon. member that it is distinctly stated that the place may be so regarded only if the owner has been away from the place for a long period and left it uncultivated or neglected. There are many instances of owners having been away for many years and left the orchards uncultivated, neglected and deserted. One provision in the Bill refers to a disease which has affected almost every horticultural district in Western Australia, namely, the San Jose scale. I do not think it wise that provision should be made in the Bill to prevent the exportation of fruit from any orchard in Western Australia which is infected with that scale. If such be the case I venture to say that many of our big orchardists will be prevented from exporting fruit. I know that provision is made by the Federal Parliament in this direction, and I believe the authorities have stated that they are going to enforce it. Probably the idea the Minister has in mind is to protect some of our fruit growers even

against themselves, to protect them from preparing for export large quantities of fruit only to find that they are debarred from exporting and that the fruit must be destroyed. That, probably, is the reason which prompted the Minister to place the provision in the Bill. I hope that particular clause will be deleted in Committee. If the Federal authorities still persist in preventing the export of fruit from orchards infected with the San Jose scale, I say leave it to them, and let us not inflict this injustice upon our own State; because, after all, it is a matter affecting rather the countries to which the fruit is sent, and some ports do not object to receiving fruit which is affected in slight degree with the scale to which I have referred. This scale is a pest in the orchards of this State and of New South Wales, although I do not think it is to be found in the orchards of the other States. I do not know whether the other States have taken similar steps to that which the Minister proposes, in passing legislation. I know the Federal authorities have done so, but I do not think it wise to put such a provision in the Bill. In conclusion I wish to say that the Bill, if it does nothing else but cope with the principal pest to which I have referred, will do a great amount of good to the State and confer a great benefit indeed upon fruit growers throughout Western Australia. In one market alone in Perth, I am assured by the gentleman operating that market, from 1,200 to 1,500 cases of fruit are destroyed annually on account of being infected with the fruit fly. I believe that since last December no fewer than 1,250 cases were condemned in the Producers Markets by the inspector operating there. That in itself should be sufficient when I emphasise this particular point, that the fruitgrowers are not sending to the markets fruit which they believe to be infected with the fruit fly. They are sending to those markets fruit supposed to be clean. So that if, under these circumstances, we have had 1,250 cases of fruit condemned there since last December, it goes to show what serious havoc the fruit fly must be playing in Western Australia.

lia. I know of many small orchards in the State where the fruit crop has been a total loss, where none of it has been of commercial value. I trust hon. members will support the Bill.

Mr. MALE (Kimberley): I think the Bill will be welcomed by all fruitgrowers in the State. They have asked for a Bill of this nature for a long time, and I think they will be glad to know that such a Bill is before the House, although, no doubt, they may have some objection to a number of the clauses. It is rather a pity that the Minister did not have copies of the Bill submitted to the fruitgrowers' association and the fruit-growing centres, so that the people most concerned might have offered a little criticism before the measure was brought into the House, criticism which would have been of valuable assistance to hon. members in discussing the Bill. We have only two or three members in the House who are capable of discussing the question of fruit from practical knowledge. We all have some slight idea of fruit and the fruit-growing industry, and are ready to assist in doing what we can to make the Bill a good one. When we realise the extent to which our fruit-growing industry has developed during the last ten years, when we find that the acreage under fruit to-day is nearly as much as that in Tasmania, although the output of fruit is not so great yet, inasmuch as our trees have not attained full bearing; when we realise that and realise the fact that our fruit has fetched the highest prices in the English and the European markets, then we can quite realise how necessary it is that everything possible should be done to protect and safeguard this industry. To do this it is necessary to have a very drastic measure. I have consistently contended that wherever we have clean country in this State, whether it be clean from fruit diseases, or diseases of animals, such as tick, or whether even it be clean from smallpox or any other disease, it is the duty of all of us, more especially those in power, to see that everything is done to keep the country clean. That is to be done at any price, and I think the intention in bringing this Bill before the House is that we may preserve and keep clean one of

our great industries. It has been found that under the old Insect Pests Act there was not sufficient power for the officers to carry out the duties which they have found to be necessary for the protection of our orchards. I am inclined to think that some of the powers that have been given to the officers under this Bill are rather drastic, and perhaps in some cases they might be slightly modified. We do not wish to give unlimited powers to officers, even in such a necessary work as this. I think each speaker has referred to the clause which deals with prunings, and it seems to me to be altogether too drastic. After all, if we had a clause inserted which would insist upon the destruction of prunings from orchards where disease has been found, we should all be most agreeable to it, but a clause such as appears in the Bill, which makes it compulsory to destroy all prunings from all orchards, seems particularly drastic. There may be good reason for it, but as I said before, we have only three men in the House who can prove that such action is necessary, and the point made by the member for Northam as to the necessity of using a number of the prunings from vines certainly must be safeguarded in this clause. Another clause gives the inspector power to question the vendors of fruit, and that clause too is slightly drastic in some respects. It would give the inspector power to cross-examine a nurseryman as to all the conditions of all the plants he has in his nursery, and there may be certain trade secrets even in connection with a nurseryman which it would not be advisable for him to divulge. I quite admit that the powers intended in the clause are good ones, but as the clause is worded it goes rather too far. We have no objection to the inspector having power to go in and ascertain where fruit has been obtained; more particularly is it desirable that he should be able to trace the source of diseased fruit, but there is no limit in the clause to the questions he could put to a nurseryman, and he might put questions which it would not be desirable for the nurseryman to answer. That clause might be modified to cover all that is desired, but at the same time not give quite such

unlimited power. Another portion of the Bill to which I would like to draw attention is the power to prevent the introduction into the State, or specified portions thereof, of things likely to introduce disease. The member for Northam pointed out that this was particularly a Commonwealth matter. The weak point I find in that clause is where it says that the Governor may by proclamation prohibit the bringing into the State of certain things. At the present time, under the Federal regulations, we are allowed to bring into portions of the State, certain fruits or plants as the case may be, but under this Bill—although I doubt whether it would have any effect, as the Commonwealth Act and regulations would override it—we should be prohibited from bringing bananas and other tropical fruits from Singapore and Java, which is to-day a regular industry. Large quantities of bananas are brought down from Java, and certainly a fair quantity of fruit is brought from Singapore to Broome, and other portions of the North-West. The regulations only allow the fruit to be brought into certain portions, but the clause as worded would prevent it. Again, in the summer months, it is necessary for the people in the north to get potatoes and onions from outside the State, inasmuch as those brought up from the southern portion will not keep, whereas those brought from Singapore will keep. The vegetables are not imported from choice, because on their merits they are not as palatable and as nice as those from the south. They are obtained through necessity, and when they are landed it is necessary, I believe, to sign a certificate to the effect that they are going into domestic consumption, and under no conditions are they to be used for seed or sent to other portions of the State. I would like the Minister to take particular note of that clause, and see that no injustice will be done to the northern portion of the State in this regard. Reference has been made to the clause dealing with neglected or abandoned orchards. It seems to me that this provision is rather a drastic one, and I fail to see the real necessity for it, unless the inspectors have found some evidence of disease amongst

these particular orchards, or that they are likely to convey disease. The definition of the word orchard is very extensive. It includes any land used for the purpose of growing or cultivating plants, and includes any garden. It is quite possible that a house with a garden attached may be left empty for a considerable time, say twelve months, and no attention be paid to the garden, but as matured trees they are doing no harm; they are still carrying on the duty which nature provided and probably are of no menace to anyone. I think the clause is slightly stringent unless it is applied with very great care. It is certainly safeguarded by the fact that nothing can be done without the consent of the Minister, and I trust that the Minister will deal with the matter with great care. Then in another clause we find that no compensation can be claimed in any case. It seems to me that contingencies might often arise where a man might have fair and reasonable ground for compensation, and it seems hardly right that he should be prohibited altogether from claiming compensation where it is due to him. That is a clause which is in itself rather too stringent. Other hon. members have remarked that power should be given to people to appeal against decisions. I take it that in referring to the question of appeals, they were referring at the same time to compensation, and I certainly think that some form of appeal should be allowed in certain cases. Other speakers have referred to the power to make regulations. We find that regulations may be made to provide for the registration of all or any orchard, shop, market, etcetera. When we take the definition of orchard and see how wide it is in its scope, that it includes every garden or place where a plant is growing, the power of registration seems far too great. It would be almost impossible to register all the places. We should have to register every garden attached to every house in a prescribed area. Then again the shops would require to be registered. When we go through the towns and see the number of little shops there are with a few apples or oranges displayed in the

window for sale, we must realise what a big work it would be to register them all. Then again, if a man bought a few cases of fruit for home consumption and stored it, it might be necessary, under this clause to register that place. I do not think for a moment that is really the intention, but where are we going to draw the line? In connection with orchards, how are we going to define which is an orchard to be registered and which is a garden which will not need registering? The inspectors who are appointed for certain districts must have a knowledge of where fruit is being grown in their respective districts, and therefore the registration will be of no assistance whatever to them. It is the same in towns; the inspectors know where the markets and shops and storage places are. The only thing that I can see registration is going to do is to bring in a certain amount of revenue. If it is necessary to get a certain amount of revenue for the purpose of increasing the number of inspectors, and from what little I know of the industry I believe we can do with more inspectors, then I think a system of levying fees on all commercial orchards would be a good one, and as was pointed out by the member for Swan, I do not think those people would have any objection to paying additional fees, provided they were getting additional inspection. They would be getting value for the money inasmuch as they would be getting far more protection than they are getting to-day, but the registration as provided for under these regulations does not appeal to me as being either useful or workable. As a matter of fact it seems to me that to make it effective, we would practically be putting up a license for orchards and would almost require a man to take out a license to grow fruit and to take out a license to sell fruit. I do not think that that is the desire of the Minister or of any hon. member. What we wish to do is to encourage the growing of fruit, to encourage the selling of fruit and the general use of fruit amongst our people. We want to put no obstacles in the way. We want to

do all we can to increase the growing capacity of this State. Reference has been made by the hon. member for Swan to another portion of this Bill in which power is given to appoint ports of entry, quarantine stations, and prohibit export in certain cases. The Minister in introducing this Bill made reference to it himself, and I am here referring to the prohibition of the export of fruit on which the San Jose scale has been found. The Minister pointed out that he had made certain advances to the Federal authorities last year under which the growers of this State were enabled to export their fruit. He also committed himself to certain conditions by which he promised to do his best to have regulations brought in to deal with this matter. But it seems to me that a rather large principle is wrapped up in this clause, and I think it is a clause which requires a great deal of consideration. I think the position to-day is somewhat as follows: Germany, a country to which a large quantity of our fruit is exported absolutely prohibits the importation of fruit infected with the San Jose scale. If my information is correct, and I believe it is, in none of the other countries to which we export our fruit is there legislation prohibiting the importation of such fruit. Apparently the other countries either do not fear the San Jose scale or they are satisfied that the fruit we are sending is sufficiently clean. Hamburg, the port of Germany, at which our fruit is landed, is a free port, and I understand that fruit infected with the pest, or fruit coming from an infected country can be landed in Hamburg and then sold to the buyers from Russia, Norway, Sweden, Denmark, or any of the other countries to which the fruit is sent, but it is not allowed to be sent from Hamburg into Germany itself. I think, as the hon. member for Swan has pointed out, that the San Jose scale is distributed over nearly the whole of the fruit-growing portion of this State, but it is very little known in the Eastern States. The fruit growing districts in the Eastern States are fairly free from this disease. Under the clause in reference to this, the diffi-

culty is that if one evidence of the scale were found in a big orchard, the whole of the fruit in that orchard would be prohibited from being exported to countries which are willing to take that fruit, which have admitted that our fruit is the best and which are ready to pay big prices for it. What would that mean to the growers? It would mean almost ruin, and we have to recollect this fact that in November it is necessary for growers to declare the number of cases of fruit which they intend to export in order to secure the space necessary for it. If, after securing that freight, evidence of the San Jose scale is found in their orchards, although only a slight evidence and although it has not really affected the fruit in the slightest degree, not only would they lose the sale of the whole of their fruit, but they would also have to lose the dead freight on space which they had engaged for the season. It is absolutely necessary to secure that space, I believe, in November for the shipment of fruit to be made in the following February or March. It appeals to me that the hon. member for Swan was quite right when he said the Minister should reconsider this matter and should, if possible, delete that clause from the Bill. That clause is still effective under the Federal Act, and I understand that the inspectors in this State are honorary inspectors under the Commonwealth. If the Commonwealth insists upon those regulations being applied, then our inspectors, who are honorary inspectors of the Commonwealth, must carry out those regulations without them being in our Act at all, and if it is found that the Commonwealth do insist upon them then I think the growers of this State would again appeal to the Minister to assist them in exporting what we believe and almost know is sound fruit.

The Minister for Lands: There is no hope of getting any further remission of that regulation, none whatever.

Mr. MALE: I may be wrong in my assumption, but if the Eastern States are practically free from the San Jose scale, and it is supposed that they are, then

this regulation does not affect them in the slightest.

The Minister for Lands: The reason they are free is because they fought it so tenaciously. It is not that they did not have it at one time.

Mr. MALE: That may be so, but the application of this regulation is not protecting them inasmuch as we are not sending or trying to send our fruit to the Eastern States, but we know that they resent, and resent very strongly the regulations which we have put up against the codlin moth coming from the Eastern States. They have resented the fact that we have done them out of a market for a lot of their second grade fruit which used to come here, and inasmuch as this regulation which they have put up does not affect them, they are a bit unfair in the matter, and they might well allow us to export our fruit which is to all intents and purposes sound to countries which are willing to take it. If they do insist, and the Minister implies that they will, it is up to the Minister to again try to do the fair thing for the growers of this State.

Mr. A. N. Piesse: Germany will not receive such fruit.

Mr. MALE: Germany is the only country which refuses to allow it to go in, and even there we are allowed to land the fruit in Hamburg where it can be sold to the buyers from Russia, Denmark, and other European countries to which it is transhipped. We are not allowed to send it from Hamburg into Germany proper, but we are allowed to redistribute it from the port of Hamburg. I appeal to the Minister to again reconsider this clause because it will be a most serious matter for the growers of this State. They in all good faith engage the space necessary for the carrying of their fruit to the home markets, and it would be most unfair and most unreasonable to prevent them from sending this fruit away to countries willing to take it, countries willing to pay for it, and countries which have admitted that our fruit is the best which comes from Australia. I have pleasure in supporting the second reading of this Bill, and trust that when it

reaches the Committee stage the Minister will allow us to assist him to make a good measure of it.

The MINISTER FOR LANDS (in reply): The discussion which has arisen on the second reading of the Bill is probably the most amicable we have had during the whole of this session, possibly if we except the little bantling introduced by the Attorney General quite recently in regard to making provision for commissioners to witness declarations, and indeed the result of the discussion has been to produce an atmosphere of holy calm in this Assembly. It is true that hon. members have found portions of the measure to which they take objection, but when the Committee stage is reached, I think many of those objections will be dissipated when in the more detailed discussion which is possible in Committee I am able to point out the reasons actuating us in asking for these powers. I wish to deal with one or two matters of more general concern, and in the first place in reference to the remark made by the hon. member for Northam. I wish to say that so far as this State is concerned we have received a great deal of consideration and also a great deal of assistance from the Federal authorities in regard to the efforts we have put forward to prevent the introduction of disease. I may point out that when Dr. Norris was visiting this State and it was explained to him that through the energy displayed in past years in suppressing certain spasmodic outbreaks of codlin moth in isolated localities within the metropolitan area, and as a result of the energetic efforts put forward it had been stamped out, he agreed that the Federal authorities charged with the administration of the quarantine legislation should assist us in maintaining that good position. and when first we approached the Federal Minister asking for power to prohibit importations from outside the Commonwealth our request was acceded to, and when later on we asked for the requisite authority to be exercised by the Commonwealth to prohibit the importation of apples, pears, and quinces, not only from over seas, but also from other States

of the Commonwealth, pointing out that we were able to meet our local requirements and had a surplus for export, the Commonwealth authorities acceded to that request also. And in other directions, notably when I asked for the temporary cessation of the portion of the regulations which has been referred to to-night, that in regard to the San Jose scale, I was again met by the Minister, and so far as the last shipping season is concerned, that regulation was not applied.

Hon. J. Mitchell: Is there a Commonwealth regulation against it?

The MINISTER FOR LANDS: Yes. While on that question I wish to point out that apart from this provision which obtains in our measure, the Commonwealth regulations under the Commerce Act prohibit the export of fruit affected with San Jose scale. In that connection we find that—

In addition to the above regulations governing the export of goods from the Commonwealth, proclamations have been issued under the Customs Act, 1901-1910, prohibiting . . . the export of fruit affected by, or which has been in contact with, San Jose scale, or from any orchard affected with San Jose scale.

I want further to point out that that prohibition is the result of representations previously made from this State. Some time ago the State Fruitgrowers' Conference carried a resolution asking that the Federal authorities should enact such a regulation, and although it is true that the executive of the Fruitgrowers' Association afterwards carried a resolution that that should only apply to exports to Germany, I believe it was due to this representation that this regulation was made, and we can hardly, having asked that that should be done, make a request repeatedly that the provision should be lifted so far as this State is concerned, more particularly because we know that the absence of San Jose scale in other States—I am not aware whether it applies to all, but in Victoria—is due to the rigorous steps that have been taken to eliminate that parasitic disease, and they naturally point out

that if they fight a disease, they have a right to be protected, just as we, so far as the codlin moth is concerned, ask that we should be protected, even insofar as imports from the other States are concerned.

Mr. Turvey: How are the producers protected?

The MINISTER FOR LANDS: In this way: that the enactment of such a measure is in the nature of a military regulation, in that the producers themselves are inclined to take more energetic steps than they might otherwise do to eliminate a disease, and so confer a general measure of protection upon all engaged in the industry. As a matter of fact, the operation of this measure will be to incite the fruit-growers to increased energy to eliminate this disease, and lead them not to rely entirely on the efforts of the departmental officers, inspectors, and others to deal with it, but compel them, in a measure, to co-operate with us in stamping out the disease in this State.

Mr. A. N. Piesse: They quarantine the orchards.

The MINISTER FOR LANDS: The regulation applies to all fruit affected, or which has been in contact with San Jose scale or any orchard affected with it. The regulation itself is prohibitive and the operation of it in Germany provides that all the fruit in the particular consignment in which the scale is found is prohibited from entering.

Hon. J. Mitchell: Not to every port in Germany; they do not object. I believe, in many ports.

The MINISTER FOR LANDS: The measure is an Imperial one, it is not a port one, and of course prevents the fruit from going into Germany. Then we have to bear in mind that in view of the better prices that we are realising now, fruit is sent to London with the proviso that if the German market is more favourable it should be forwarded there at the agent's discretion. What we want to avoid is the expense and loss of fruit being sent from here with a possibility that the market would be shut against it, or that it would be returned, so that the consignor at this end would be involved in the ex-

penses incidental to the passage to and fro. Therefore, we thought it would be in the interests of the growers to include this provision in our Bill, and even if it were not included the growers in this State would be no better off, because the Federal prohibition would apply. With regard to the objection that has been raised to the registration of orchards, auction rooms, shops, vineyards, and nurseries under the regulations, it is just as well to point out that there is already a provision in the existing measure so far as orchards, vineyards, and nurseries are concerned. The idea of this Bill is not to unnecessarily harass the owners of the orchards or vineyards, or of the auction rooms and shops; nor is the object to raise revenue, because, so far as this particular provision is concerned, the revenue is very small indeed. As a matter of fact, the taxpayer is being called upon to find a very considerable sum for the protection of the fruit-growers of this State, and the revenue derived is infinitesimal. As a matter of fact, of the estimated revenue of £950, the sum of £450 comes from the Commonwealth in the way of recoups, and the other £500 is realised from the disinfection of fruit. Both are derived at the port of entry and apart from that no revenue whatever is derived under this measure, but, on the other hand, the expenditure of over £6,000 is involved. It is not my intention, at least during the current financial year, to increase the expenditure in this direction. It is true that we are asking for greater powers, but the powers asked for in this Bill are needed to make the work of the inspectors more effective and, moreover, to secure from the growers more co-operation than we have secured in the past; and it is with the idea of making these people, whether it be the producers of the fruit or those connected with the channels through which it is conveyed to the consumer, realise that an obligation rests upon them to co-operate with us, and to more effectively control the disposal of fruit, in order to deal with disease. Those hon. members who are acquainted with the industry realise through how many channels it is possible for this infection to

take place. I understand that the hon. member for Murray-Wellington (Mr. George) infected his own orchard with fruit-fly through taking down some fruit from the city of Perth.

Hon. J. Mitchell: I do not think he did it himself, but someone else took it down for him.

The MINISTER FOR LANDS: Whether he took it down himself or whether someone else did, the result was that through that comparatively innocent step, the hon. member for Murray-Wellington had his orchard infected, and anyone who realises what the introduction of fruit-fly to an orchard means will realise what it means to the hon. member for Murray-Wellington. While hon. members may think that these powers will be affecting the dealers in fruit to an unnecessary degree, the officers are convinced of the necessity, owing to the difficulties they have already realised through some of these powers not being in existence. With regard to cases, as I pointed out when introducing the Bill, I myself have realised that a considerable sacrifice is involved through the prohibition of the use of second-hand cases, and the question of disinfection by steaming has been considered by the officers of the department, but they point out that the difficulty arises with the use again of the cases after having been disinfected, and that they have no possible means of getting over that, so if hon. members through their collective intelligence can suggest a means by which that difficulty can be overcome, it is possible that we can do something, but I want hon. members to devise a scheme which will not require an army of inspectors. I want a feasible scheme, and I leave it to hon. members to exercise their wits with a view to finding a way out of the difficulty. The question of embodying a proposal to ensure that plants supplied from nurseries shall be true to name is, as the hon. member for Northam (Hon. J. Mitchell) pointed out, foreign to the purposes of the Bill. In my opinion it is also impracticable. The question has been discussed from time to time at conferences of fruit-growers held in this State,

and while there have been a number who support the idea, there have been just as many who oppose it.

Hon. J. Mitchell: You ought to try and get at swindlers.

The MINISTER FOR LANDS: The difficulty is that we would have to wait so long for a conviction. If a man takes a tree home and plants it, he has to wait for it to develop before he is able to realise whether he has been deceived or not, and by that time the statute of limitations, or the difficulty of proof will, of course, practically preclude the possibility of securing a conviction. The matter, however, is one which is outside the title of this Bill. It is a matter which, personally, if it were practicable, I would certainly be willing to enforce, because in the work of laying out an orchard the initial cost of clearing and the planting is so high, and the grower ought to be protected if it is possible against having inferior nursery stuff sold, or stuff that is not true to name, only to find that after all his trouble and expense he is faced with a loss through an inferior variety or a wrong variety having been supplied.

Hon. J. Mitchell: It is a common swindle and it has been practised in this State, there is no doubt about that.

The MINISTER FOR LANDS: With regard to the question of compensation, I need only point out that the provision in the existing measure has not been altered, and I am not prepared to make any alteration whatever in what is the law of the land to-day. Any such amendment would be fatal to the measure. That provision has been enforced and has operated up to the present time, and so far as I am concerned I propose that it shall still continue. The other matters which have been raised will no doubt be brought up in the Committee stage, and it will be more fitting and more convenient for me to deal with them when that stage is reached. I propose to take only the formal provisions of the Bill in Committee to-night, and then to report progress and leave the further discussion in Committee to a later stage.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Male in the Chair; the Minister for Lands in charge of the Bill.

Clause 1—agreed to.

Clause 2—Repeal:

Hon. J. MITCHELL: In repealing the Insect Pests Act it was just a question whether the Bill we were substituting would cover insect pests. The matter might be looked into.

The Minister for Lands: I have raised that question.

Hon. J. MITCHELL: A sparrow would be a pest, but it would not come under the Plant Diseases Act and it was just questionable whether the fruit fly would.

Mr. A. N. Piesse: The interpretation covers it.

Hon. J. MITCHELL: The Minister was aware that nothing could be contained in the Bill that was not made clear in the title.

The MINISTER FOR LANDS: The alteration had been made with deliberate intent and for the purpose of making the scope of the measure not only clearer but wider, and it was not a question of drafting so much as a question of taking the advice of the officers of the department, and more particularly that of Dr. Stoward. It was really to extend and make clearer the purpose of the measure that the alteration had been made; it was an improvement on the existing measure. Some of the diseases were of the character of the fungus and the interpretation of insect pests did not cover a disease of that nature.

Hon. J. MITCHELL: It was doubtful whether the title covered all that was needed.

The Minister for Lands: We got the best advice.

Hon. J. MITCHELL: Dr. Stoward's advice would not be the best; he was not a lawyer, he was a pathologist. If the Crown Law Department stated that this covered insect pests of course he would be content.

The Minister for Lands: I think it is a big improvement.

Hon. J. MITCHELL: There might be a big improvement but it might still be capable of further improvement. The Minister might look into the matter before we reached the final stages of the Bill.

Clause put and passed.

Clause 3—agreed to.

Clause 4—Interpretation:

The MINISTER FOR LANDS: It was his intention to ask the Committee to report progress at that stage, but before doing so he would like to request hon. members, who might have amendments to propose, to place those amendments on the Notice Paper.

Progress reported.

BILL—PUBLIC WORKS COMMITTEE.

Second Reading.

The MINISTER FOR WORKS (Hon. W. D. Johnson) in moving the second reading said: This is the third time that I have had the pleasure of presenting this important Bill for the consideration of Parliament, and the third effort, I trust, will prove successful.

Mr. Male: It is a fatal number.

The MINISTER FOR WORKS: Whether I shall be successful or not, I claim that the third production of the measure demonstrates the sincerity of the Government in their desire to enable Parliament to have a thorough check over the public expenditure. I noticed on the first occasion that the Legislative Council devoted a fair amount of consideration to the measure, but members there advanced very little argument against it. They seemed to be influenced by the opinion that the Bill on that occasion was introduced, not with any desire to give Parliament a better opportunity of checking public expenditure, or to protect the public purse, but with the intention of providing positions for members on this side of the House to fill, and by the tone of the remarks of members in another place, one almost imagined that they were in possession of the personnel of the proposed Committee. I want to make it

clear that the Government have never discussed the matter of the personnel of the committee, even in Cabinet, and it has never been discussed in any shape or form with members on this side of the House. The Government pledged themselves at the last general elections to introduce this Bill, because from previous experience we knew that a Bill of this nature was absolutely necessary, and seeing that we promised that we would do it, we are simply carrying out our pledge in presenting the measure to the Chamber. If another place persists in throwing it out they must take the responsibility, but while we have introduced the Bill, we have never, in any shape or form, directly or indirectly, discussed the personnel of the committee. Briefly, the Bill is a proposal for the appointment of five members, one of whom must be a member of Executive Council, to investigate and report to Parliament on all proposed expenditure over the sum of £20,000. It is estimated that the cost in regard to this Bill, and it will include all the expenses in connection with it, will run into not more than £2,500 per annum. In arriving at these figures—I notice the member for Kimberley is shaking his head.

Mr. Male: It cannot be done.

THE MINISTER FOR WORKS: That remark goes to show, as in many other Bills the hon. member discusses, that he does not go into details; he makes no effort to inquire into the working of similar committees elsewhere, and the cost of them. In New South Wales the total cost last year for the fees of the committee, travelling expenses, shorthand notes, printing, and everything else, ran into £6,200, and when we take the enormous amount of work they had to do in comparison with what will be required to be done here, we can realise that even the amount we are allowing is large in comparison to what has been actually expended in New South Wales. The amount voted on last year's Estimates for the Public Works Committee in New South Wales was £4,500. We in Western Australia, I think I am justified in saying, take a keener interest in the general administrative affairs of State than in

any other part of Australia. I have read a good deal and I have been making inquiries in regard to election campaigns, and the methods adopted by the different Governments in presenting their programmes to the people, and I find in mostly every other State, and more particularly in New Zealand, the questions submitted to the people are largely, if not wholly, of a legislative character. They deal with legislation, but hon. members will agree with me when I say, in Western Australia the conditions are altogether different. Our people take a keen interest in administration, and whilst legislation is, of course, a matter that receives attention at election time, the main questions are questions of administration. Therefore when we have a people who take a keen interest in the administration of the affairs of State we should enable those people to get the minutest details in regard to public expenditure.

Hon. J. Mitchell: We tried to get the expenditure on State steamers, but could not.

THE MINISTER FOR WORKS: If the State steamers purchase or any other purchase was to exceed £20,000 the hon. member would have had the matter fully investigated by the Public Works Committee, and their report presented to Parliament. It only serves to show the necessity for submitting a Bill of this description. The hon. member complains that he could not get the details. That is exactly what we wish to avoid. Not only does it apply to this Government but to every other succeeding Government. When public expenditure is proposed it should have the most searching investigation to see whether or not it is wise.

Mr. Male: Does it not?

THE MINISTER FOR WORKS: No. The hon. member gave me as an illustration the fact that they were unable to get details which they thought they were entitled to. I could give hundreds of instances in which I, as a member of the Opposition, was unable to get details which I would have liked. The hon. member quoted the case of the State steamers, but we would quote other things that were

done which should not have been done until every member of Parliament had had an opportunity of getting a report and all details in regard to those ventures. Take for instance our State railways. The people manifest a keen interest in the management of the railways, and the annual report of the Commissioner of Railways is read extensively, not only by members of Parliament, but by people outside, and at election time one has to be well up in the general administration of the Working Railways if he would give satisfaction to the electors. And so it applies right through, with our Savings Bank, and with the various other concerns operated by the State. But when it comes to public expenditure we have no details to give to the people. All they get are the lump sum votes of Parliament, and they are supposed not to question to any great extent the expenditure of huge sums of money. What we want to do by the Bill is to give them the same opportunity of checking in detail the proposed expenditure on all separate works, so that they will have from the report of this Public Works Committee the result of minute investigations, and so that they can check Parliament, and see that Parliament is doing justice with the expenditure of public funds. It is not so to-day. The people of the State have no check; they have not the information to check. When the Government propose expenditure they simply make their case as best they can, and as they generally have a majority behind them, the expenditure is agreed to and the people generally have not the details. :

Mr. Male: You should give them the details.

The MINISTER FOR WORKS: As a matter of fact we give more than any other Government have given, and indeed our members sitting behind us expect more. There is no member of Parliament more exacting than the Labour member.

Mr. Male: Where are they to-night?

The MINISTER FOR WORKS: If we proposed to-night to expend money you would see these benches filled, and possibly the Opposition benches empty; but because we introduced to-night a Bill dealing with orchards hon. members opposite

are in their seats. When we start dealing with the expenditure of public funds hon. members opposite are indifferent, but this side of the House is filled by members keenly interested in seeing that the public funds are not wasted. No member of Parliament is more keenly interested in public expenditure than the Labour member. That has been demonstrated ever since the Labour party was first returned to Parliament. Read *Hansard*, and you will find that the member most keenly interested in public expenditure is the Labour member. Whether he sits behind the Government or opposite to the Government, he is determined to get the fullest information on all such questions. But the fact remains that he does not get all the information he should have.

[*The Deputy Speaker (Mr. Male) took the Chair.*]

Hon. J. Mitchell: We know that.

The MINISTER FOR WORKS: We all know exactly how the hon. member introduced his Bills, and that when he wanted to get the thing through he kept the House sitting till four o'clock in the morning and then rushed it through when hon. members were not awake. We do not do that sort of thing. I wish to point out that under the Bill we propose to give both sides of the question. At the present time when a Ministry introduce a proposal to expend money they give the best side in favour of their proposal, and it is left to hon. members to get the other side. They have to investigate to the best of their ability, although possibly they have no local knowledge of the district in which it is proposed to expend the money, and so they only get the one side submitted by those who propose to make the expenditure, with the result that Parliament has not an opportunity of getting the other side and securing the details to which it is justly entitled if hon. members are to do their duty by the people of the State. It has been said that Ministers should take the responsibility; that this Public Works Committee should not be appointed, because if it is appointed Ministers will shirk their responsibilities.

There is no desire on the part of the Government to shirk responsibility. Neither this nor any other Government can shirk responsibility if the Public Works Committee is appointed. As a matter of fact the appointment of that committee will increase the responsibilities of the Government, because if they introduce a proposal to expend money they must have a fairly good case to submit to the committee, who, they know, will investigate it closely. No Government would like to submit proposals to a Public Works Committee if they were going to be turned down, because this might suggest that they had not gone into the question and were not worthy of the responsibility they held in regard to investigation as to the requirements of the State in various directions. As a matter of fact the Government will continue, as I have said, to take the responsibility. The committee will report, and it will be for the Government to take action after the report is submitted. It does not follow that every Government will say that if the Public Works Committee reject a proposal that is the end of it. The Government may differ with the committee, and if they so desire may take the responsibility of appealing to Parliament to pass the vote, irrespective of the Public Works Committee having declared against it. In any case what is the use of Ministers taking the responsibility and the people finding out after the money is wasted that Ministers, having taken the responsibility, have made a holy mess of it? The money is spent, and what is the use of closing the stable door after the horse has gone? What is the use, for instance, of the people complaining about the Fremantle dock? Ministers took the responsibility, and tipped about £200,000 into the harbour. The people now say, "Oh the Government took the responsibility." But they did not save the £200,000, which would have been saved had a Public Works Committee been in existence.

Hon. J. Mitchell: Not it.

The MINISTER FOR WORKS: I do not think the hon. member knew anything about it, because he did not take enough interest in those matters.

Mr. Dwyer: He was a member of the Ministry.

The MINISTER FOR WORKS: Yes, but he did not take that interest which, as a Minister, he should have done. Had he taken an interest in the question he would have found that the experts declared against the Fremantle dock.

Hon. J. Mitchell: Nothing of the sort.

The MINISTER FOR WORKS: The interjection goes to show that the hon. gentleman will say anything. He has got the reputation of perpetrating "Mitchellisms," and this is another illustration. He says they did not. It is well known that Mr. Thompson declared against it, and said it should be a floating dock, and pointed out where that dock should be situated; and again, when Mr. Ramsbotham came out he said it was unwise to proceed with the dock.

Hon. J. Mitchell: Still you went on with it.

The MINISTER FOR WORKS: Another "Mitchellism." The hon. member says still we went on with it. Why, we were not in power at the time. The hon. member is the one who went on with it, and unfortunately, although I attempted on one or two occasions to block the work, the hon. member carried too many guns for me. The position was that while we knew that in the corridors we had a majority against the Fremantle dock, we could not get them into the House to vote against it, because they said that the position of the Government was at stake, and they had to support the Government.

Hon. J. Mitchell: Who did?

The MINISTER FOR WORKS: Not one, but many. They had to vote in favour of the Government because the Government had pledged themselves to the dock. It was a political work from the very inception, but Parliament could not protect the State against that wasteful expenditure. We found that although Parliament outside was against that expenditure, Parliament inside would not vote against it, and in consequence the money was wasted. If we had submitted the question to a Public Works Committee they would have got the evidence given by Mr. James Thompson, the evi-

dence given by Mr. Palmer, and the evidence given later by Mr. Ramsbotham, and in the face of that evidence Parliament would never have spent the money which was wasted in that particular work.

Hon. J. Mitchell: When was the evidence brought out?

The MINISTER FOR WORKS: Some of it before the dock was started. Mr. Ramsbotham was brought out after the dock was started, but very little money had been wasted then, and if his advice had been taken we would not have wasted much money.

Hon. J. Mitchell: How much money did you spend on the dock?

The MINISTER FOR WORKS: Very little. I told them to confine their work to one portion so as to get down and see whether it was at all possible to put a dock in that place where they were trying to put it. Mr. Ramsbotham carried out those instructions, and we proved that it was impossible to put the dock there, and so, by the expenditure of a small amount in comparison with the large amount already spent, we were able to prove that the previous Government's policy was wrong, and we were able to close the work down altogether.

Hon. J. Mitchell: Why, you spent thousands.

The MINISTER FOR WORKS: Unfortunately, yes. It cost thousands to prove that the hon. member was wrong, and as Minister for Works I had to provide the money. It cost that money to prove that the hon. member, or the Government of which he was a member, were wrong. We could not, as a Government, declare that the work was wrong. We had no evidence to go on, further than that the engineers had expressed doubt as to the wisdom of going on with it; but by concentrating as we did we proved that it could not be done successfully, and this at a limited amount as compared with what we would have spent had we gone on along the lines pursued by our predecessors.

Hon. J. Mitchell: You have wasted more on your powellising business than was spent on the dock.

The MINISTER FOR WORKS: That is another "Mitchellism," and there

is absolutely no evidence to back up the hon. member's statement. The powellising has not yet been done, and the result of the operations of the State sawmills has yet to be proved. The hon. member may have his opinion on it, but to make a declaration that money has been wasted only proves that he is absolutely reckless in his remarks. He makes a statement without the slightest regard as to proof.

Hon. J. Mitchell: We know about the agreements.

The MINISTER FOR WORKS: Of course you do, because I made that agreement pretty public, and I proved that the agreement prepared by this Government was superior to that prepared by the Government with which the hon. member was associated, and that we had protected the State to a very great extent in comparison with the protection it received under his administration.

Hon. J. Mitchell: Absolutely nothing of the sort.

The MINISTER FOR WORKS: It has been said and urged by those who consider that further information should be supplied to Parliament that a continuation of the old system of advisory boards in connection with railway construction, and an extension of their functions would be sufficient, but we have tried advisory boards, and although hon. members opposite will not admit it, we know that mistakes were made by the advisory board, that railways were built in wrong directions and other things done which should not have been done. The reason for that was that Cabinet instructed the advisory board and the board were only responsible to Cabinet. The whole details in connection with their investigations did not go to Parliament, and Parliament had no control.

Hon. J. Mitchell: Every detail did go to Parliament.

The MINISTER FOR WORKS: Every detail did not go to Parliament. The hon. member has only to look at the records of Parliament to find that for the expenditure of a huge sum of money on one railway project only one sheet of foolscap was used for the advisory

board's recommendation, and no evidence was given in regard to the proposition other than a declaration in favour of a particular line which the Government desired to have constructed. The advisory board received their instructions from Cabinet, and reported to Cabinet. They had no connection with Parliament, and consequently Parliament had no control. Then again, suppose that all the detail as submitted to Cabinet was presented to Parliament, we have still this to consider that Cabinet had the right of submitting works for report in the order in which they thought they should be constructed. Parliament had no check as to whether one work was more urgent than another. The Government simply brought down the works in the order in which they thought they should be constructed, and Parliament had no chance of altering the order of precedence.

Hon. J. Mitchell: Who will instruct your committee?

The MINISTER FOR WORKS: Parliament will instruct the committee, and it will be for the committee to inquire into the relative importance and urgency of works submitted to them. It will be for the committee to say that while certain works are necessary they are not so urgent as certain other works, and they will submit particulars and make recommendations which will enable Parliament to have complete control of all expenditure. It may be said that if the advisory board principle alone is not sufficient Parliament can appoint select committees. We know that select committees are only appointed by persons directly interested for and against a particular work. If they are strongly in favour of a work and the Government are against it they get a committee appointed to urge the Government to go on with it, and on the other hand, if the Government are in favour of a work and certain members are against it they get a committee appointed to block it. From the very start of their investigation the select committee are biased one way or the other. Then again, if the select committee are in favour of a proposition they look out

that they get all evidence in favour, or if they are against it they get all the evidence against it. We have such an instance in connection with the select committee on the Irrigation Bill in another place.

Hon. J. Mitchell: And the Wickepin-Merredin railway.

The MINISTER FOR WORKS: Yes, in connection with the Wickepin-Merredin railway we have an evidence of where a committee from one Chamber obtained evidence in one direction and the committee from another Chamber got evidence the other way, which only goes to prove my contention that select committees are biased from their very inception. In connection with the select committee on the Irrigation Bill we have a most striking instance, perhaps the most striking instance in the history of Parliament, of a committee getting evidence in support of their own contention, and putting leading questions to witnesses in order to extract from them the evidence they desired. That is proved conclusively by the evidence attached to the committee's report. But that is only one of many illustrations which could be given of where select committees are biased from the start, and do not get for Parliament all the pros and cons in connection with any particular work. Then some hon. members say, "Why not go one better and have a Royal Commission?" Well a Royal Commission, I am prepared to admit, is possibly preferable to the other two systems, but even a Royal Commission apart from other considerations, is only of a temporary character. It is appointed for one particular work. At the conclusion of its labours it goes out of existence. Then another commission is appointed for another work, and the result is that we do not educate the members up to a knowledge of the public works in the State.

Mr. Hudson: Are you speaking of the Wickepin-Merredin line?

The MINISTER FOR WORKS: That line would have gone to a Public Works Committee, had such a body been in existence, and possibly we might have got better results than have been ob-

tained under existing conditions. I was pointing out that with a Royal Commission the members only deal with one particular work at a time; we keep on changing the commission with the result that we do not educate the members as we will do if we have a Public Works Committee. Each Parliament a Public Works Committee would be appointed and for three years those men would be charged with the responsibility of investigating all public works, and that would enable them to inquire into the relative importance and urgency of one particular work as compared with another. They would investigate all works and advise Parliament, and so enable the legislature to check the policy of the Government in regard to State development. I do not want to give many instances and to take up the time of hon. members. I have already said that had a Public Works Committee been in existence the failure in regard to the Fremantle dock would have been avoided. We know that if we had had such a committee in existence when the goldfields water supply was being established—

Hon. J. Mitchell: And when the tramways were being purchased.

The MINISTER FOR WORKS: Yes, that is a question which would have been submitted to the committee, and possibly they would have brought in a verdict in favour of the Government proposal, but whether they reported for or against, the project would have gone to the committee and Parliament would have had a check in regard to that expenditure. In connection with the goldfields water scheme there has been a huge sum of money wasted through pipes being used which were altogether too large for the quantity of water to be conveyed to Kalgoorlie. We know that the engineers, very capable men, estimated that the goldfields were going to consume five million gallons per day, and consequently they installed pumps and pipes to convey that quantity, but we know to-day that that quantity has never been delivered, and never will be delivered. Had we had a Public Works Committee to investigate the

matter at the time, it would have been proved, because the evidence was available on the goldfields, that there was no chance of the people there consuming five million gallons per day, and consequently the whole scheme would have been laid down on a smaller scale, we would have had a better result than we are getting to-day, and would not be facing the present difficulties in connection with the huge amount of money which has to be provided from general revenue to make up the sinking fund.

Hon. J. Mitchell: With smaller pipes you would not have been able to get your water through.

The MINISTER FOR WORKS: There is no difficulty in regard to the size of the pipes, other than that which is being caused by the corrosion. The difficulties in regard to corrosion would have been provided for in the smaller pipes and we would have been able to overcome it earlier than we did with the present pipe line. We allowed the corrosion to go on for some time unchecked, with the result that it will take some considerable time to remedy it. Had the pipes been smaller, however, this trouble would have been discovered sooner, and earlier steps would have been taken to prevent the accumulation of rust and other matter inside the pipes. In presenting this Bill to Parliament we are not presenting any new experimental legislation. An Act for a similar purpose has been in existence in New South Wales for 12 or 15 years, and successive Governments have used it with advantage. Some members have said that the system has been a failure in New South Wales. That statement is absolutely beside the mark; no evidence has been adduced to support it. If the Public Works Committee Act in New South Wales has been a failure it has been condoned by successive Governments and Parliaments and by the people of the State. There have been no measures introduced to repeal the Act, and there have been no serious complaints in Parliament regarding the working of the committee. As a matter of fact successive Governments have recognised that the committee have done

a considerable amount of work in checking Government expenditure. If hon. members will read the reports of the Public Works Committee in that State they will find right through that huge sums of money have been saved by the committee reporting to Parliament the true facts in connection with proposed expenditure. The Government have proposed work and after investigation the committee have proved that there was no justification for the expenditure, and advised Parliament not to endorse the proposals. In other cases they have reduced the expenditure by 50 per cent., and it is really interesting to see the results of the work of the committee in New South Wales in regard to public expenditure. Then again, as I have previously said, the cost of the committee is not as great as hon. members have said. The total cost of the committee in New South Wales is £6,200 per annum, including everything in connection with the investigation, but the amount voted on the last Estimates I was able to peruse was only £4,500 for the remuneration of members of the committee.

Hon. J. Mitchell: Have they five members?

The MINISTER FOR WORKS: They have seven members, and the total expenditure estimated is £4,500 apart from printing and reporting, but including those items the cost was only £6,200 for a committee of seven members. We propose to have a committee of five members, and we say that the expenditure will be £2,500 at the outside, and I think we are making a very liberal allowance.

Mr. Hudson: Have you any idea of the percentage of cost to the expenditure on the work reported upon?

The MINISTER FOR WORKS: I cannot give the percentage.

Mr. Hudson: But on the basis of last year's expenditure.

The MINISTER FOR WORKS: I cannot give details as to the amount of last year's expenditure. After all we cannot judge the work of the committee altogether on the actual expenditure.

Mr. Hudson: I only want to show that on last year's expenditure the cost you quote would be infinitesimal.

The MINISTER FOR WORKS: I admit that, but even that would not be fair to the committee, because after all the money they save is the biggest criterion. It is not the percentage of cost to the expenditure, but rather what the percentage is to what they save, and if hon. members go into that they will find that the committee save an enormous amount of money in New South Wales. As the hon. member rightly points out, a cost of £6,000 in comparison with the huge sum of money spent in New South Wales is very small, and a cost of £2,500 in Western Australia in comparison with our expenditure would be extremely small. The principle of a Public Works Committee is not limited to New South Wales. Victoria adopted the principle, and while it has not been extended in that State to the same extent as it has been in New South Wales, nevertheless there is a Public Works Committee there. It is limited to railway construction I will admit, but still in Victoria the committee are doing good work and they check to a great extent the proposals of the Government and safeguard the public purse. Again in South Australia a Public Works Committee have been appointed and they are also limited to railways in the same way as in Victoria. Nevertheless we have the example of New South Wales, Victoria, and South Australia all using a Public Works Committee for the checking of public expenditure. But greater than all these possibly in the eyes of the hon. member for Northam, because I believe he has a very high opinion of the members of the present Federal Government, is the fact that the only definite legislative act they pledged themselves to at the last general election was the appointment of a public works committee. It is interesting to know that while in the general outline of their political faith they dealt with generalities right through, when they came to anything definite—

Mr. Hudson: Did Sir John Forrest accept that proposition?

The MINISTER FOR WORKS : Yes, he was a prominent member of the party who propounded it, and the one definite proposal they put before the people of Australia was the proposal for the appointment of a public works committee. If the hon. gentleman will read the advertisement from their official organ the *Sunday Times* he will see the following :—

A Liberal victory will adjust taxation to annual requirements.

That is a generality.

while a public works committee and a tender board will see that the country gets a fair deal and full value for its money.

That should be the last word on this question.

Hon. J. Mitchell : Was that the *Sunday Times* or Sir John Forrest ?

The MINISTER FOR WORKS : It is the advertisement signed by Clarke James, the official representative of the Liberal party. We therefore have the experience of the Eastern States to which I have referred, and in addition we have the present Federal Government pledged to introduce a public works committee in order to check public expenditure. Need I take up any more time in submitting this Bill for the consideration of hon. gentlemen ? Hon. members opposite must now admit its desirability, seeing that the Federal Government whom they worship, especially as it contains Sir John Forrest, are pledged to a measure of this description. They are doing it for the public good. Surely they would not do it for any other purpose than to give Parliament an opportunity to check public expenditure, and I submit this Bill for the consideration of this Parliament with full confidence, satisfied that not only will this Chamber pass it on this occasion, but that another place also will give it favourable consideration. On the last occasion another place refused to discuss it, and gave it very short shrift indeed. One speech was delivered, and that was followed by a sudden death motion which was responded to by a big majority in that Chamber. I want to say that the Government pledged themselves to give the people an increased opportunity

to check public expenditure. Our earnest desire is to give the people full opportunity to safeguard the public purse, to see that members of Parliament do not use political influence to the disadvantage of the State, that the most urgent works are constructed first and that only urgent works are undertaken by the Government, and while this Chamber, I feel sure will pass the measure, if another place refuses to pass it, they will have to take the responsibility of saying to the people of Western Australia—"We are not going to give you an opportunity to check the public expenditure. We believe it should be left to Parliament and politicians to decide, and you, the people, should have no opportunity to check the pros and cons of that expenditure." That is a wrong position to take up ; it is not fair to the State and it is certainly not fair to the people, and consequently I trust that this Chamber and another place will give the Bill favourable consideration. I move—

That the Bill be now read a second time.

On motion by Hon J. Mitchell debate adjourned.

BILL—WATER SUPPLY, SEWER-AGE, AND DRAINAGE ACT AMENDMENT.

Council's amendment.

Amendment made by the Legislative Council now considered.

In Committee.

Mr. McDowall in the Chair ; the Minister for Works in charge of the Bill.

Council's Amendment, Clause 2—Strike out the clause and insert a new clause, dealing with officers, in lieu :

The MINISTER FOR WORKS : Provision was made in Clause 2 to bring the officers under the provisions of the Public Service Act. That was necessary because members of the Goldfields Water Supply, while they really worked under the Act, had never really been brought under it. A certain proportion of them were under the Act, but they were

previously members of the public service. Ministerial approval had been granted to them being brought under the Act, but it was found that this could only be done by Act of Parliament. The officers of the Metropolitan Water Supply were originally under the control of a board, but in 1904 the board was superseded and the then Minister for Works took control. When that was done the officers were not brought under the Act. Now that the water supplies had been amalgamated, it became necessary to bring all the officers under the Public Service Act. He had previously pointed out that he thought the clause needed amending, but instead of delaying the Bill in this House, a clause was drafted by the Crown Law Department and the Public Service Commissioner and inserted by the Minister in another place. Therefore, it was really a Government clause. It was adopted after the careful consideration of those best able to deal with the matter, and would place all the officers under the Public Service Act, and would not unduly burden the State by giving privileges to temporary officers. The clause applied only to those serving in a permanent capacity and not to temporary hands. He moved—

That the amendment be agreed to.

Hon. J. MITCHELL: It was pleasing to hear that the Minister accepted the amendment. Why did he not have it put in the Bill when originally introduced instead of the cumbersome clause which had appeared? The amendment was a decided improvement and much fairer to the officials. He was glad these officials were to be brought under the Act. All officials should be under the Act and the privileges should be equal to all in the service. If the Minister had conferred with the Crown Law Department and the Public Service Commissioner in the first place, a good deal of time would have been saved. It was refreshing to find the Minister admitting his mistake and willing to rectify it. The Minister was usually wrong, and generally stuck to his own ideas to the bitter end.

Question put and passed, the Council's amendment agreed to.

[The Deputy Speaker (Mr. Male) took the Chair.]

Resolution reported, the report adopted, and a Message accordingly returned to the Legislative Council.

House adjourned at 10.16 p.m.

Legislative Council,

Tuesday, 28th October, 1913.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

PAPER PRESENTED.

By the Colonial Secretary: Return showing the cases in which the Royal prerogative of mercy has been exercised between 1st October, 1911, and 30th September, 1913 (ordered on motion by Hon. D. G. Gawler).

WEST PROVINCE ELECTION SELECT COMMITTEE.

Reports presented.

Hon. A. G. JENKINS (Metropolitan) brought up the report of the select committee appointed to inquire into the election of a member for the West Province in May, 1912.